



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

**Anatomical Donations and Post-Mortem
Examinations Ordinance 12 of 1977**
section 14(1)

**Anatomical Donations and Post-Mortem
Examinations Regulations**

Government Notice 87 of 1980

[\(OG 4114\)](#)

came into force on date of publication: 15 April 1980

These 1980 regulations do not repeal the Anatomical Donations and Post-Mortem Examinations Regulations contained in GN 275/1978 ([OG 3866](#)), but they cover identical topics and so must supersede the 1978 regulations.

ARRANGEMENT OF REGULATIONS

[The individual regulations have no headings, but are grouped under part headings.]

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DEFINITIONS

1. In these regulations, unless the context otherwise indicates -

“approved institution” means an authorised institution which has been approved by the Executive Committee as an authorised institution which may issue identity tags;

“chief” with regard to any authorised institution, including an authorised institution which is also an approved institution or a prescribed authorised institution or both, means the person who is physically in charge of the activities of such authorised institution;

“Director” means the Director of Health services of the Administration of the Territory;

“identity tag” means an identity tag prescribed by the Executive Committee by including an illustration or illustrations thereof in Schedule I;

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“prescribed authorised institution” with regard to any tissue mentioned in Column I of Schedule II means the authorised institution mentioned opposite such tissue in Column II of Schedule II;

“prescribed purpose” with regard to any tissue mentioned in Column I of Schedule II means the purpose mentioned opposite such tissue in Column III of Schedule II;

“prescribed tissue” means any tissue mentioned in Column I of Schedule II;

“the Ordinance” means the Anatomical Donations and Post-Mortem Examinations Ordinance, 1977 (Ordinance 12 of 1977).

AUTHORISED INSTITUTIONS

2. (1) The owner of any institution who desires that that institution should be authorised by the Executive Committee to receive, acquire, preserve or use the bodies of deceased persons for therapeutic or scientific purposes or to receive, acquire, preserve, use or issue tissue for the said purposes, or to perform post-mortem examinations of the bodies or deceased persons for any of the purposes stated in section 2(1) of the Ordinance shall apply in writing to the Executive Committee therefor.

(2) Any application referred to in subregulation (1) shall -

(a) contain full particulars regarding -

(i) the number of personnel employed at the institution and their qualifications and experience;

(ii) the premises of the institution.; and

[There is an unnecessary full stop after the word “institution” in subparagraph (ii).]

(iii) the equipment at the disposal of the institution; and

(b) be submitted to the Director.

(3) The Executive Committee shall not approve any application in terms of this regulation, unless the applicant has at his disposal the personnel, premises and equipment which, in the opinion of the Executive Committee, are sufficient and suitable to properly execute the activities for which the authorisation is desired.

3. (1) Any authorisation granted in terms of regulation 2 shall be valid for the period ending on the date determined in terms of subregulation (2).

(2) The first period referred to in subregulation (1) shall end on 30 June 1983 and all such periods thereafter shall end triennially thereafter on the thirtieth day of June or the years in question.

(3) An application for the renewal of any such authorisation shall be submitted to the Director on or before the fifteenth day of May of the year in which the validity of the authorisation expires.

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4. The names and addresses or institutions authorised by the Executive Committee to receive, acquire, preserve or use the bodies of deceased persons for therapeutic or scientific purposes, or to receive, acquire, preserve, use or issue tissue for the said purposes, or to perform post-mortem examinations or the bodies of deceased persons for any of the purposes stated in section 2(1) of the Ordinance, shall be made known by notice in the *Official Gazette*.

APPROVED INSTITUTIONS AND IDENTITY TAGS

5. (1) Any authorised institution which desires -
- (a) to be approved by the Executive Committee as an authorised institution which may issue identity tags; and
 - (b) identity tags which may be issued by such authorised institution to be prescribed by the Executive Committee.

shall apply therefor in writing to the Executive Committee.

(2) Any application referred to in subsection (1) shall be submitted to the Director and shall be accompanied by the identity tags which the applicant desires to be so prescribed.

6. (1) An approved institution shall issue only such identity tags as may be prescribed in Schedule I for issue by that approved institution.

(2) Any such approved institution shall issue any such identity tag only after a donation has, in accordance with section 2(1) of the Ordinance, been made to that approved institution.

7. The serial number referred to in regulation 14(1)(b) allotted in respect of a specific donor and an indication whether it is the whole body of the donor or specific tissue of his body only which has been donated, shall be specified by an approved institution on an identity tag before the approved institution issues such identity tag.

8. Any person who -
- (a) under section 5(1) of the Ordinance -
 - (i) gives any authorisation for the removal of any specific tissue from or the performing of a post-mortem examination of; or
 - (ii) removes eye tissue from,

any body wearing an identity tag;
 - (b) accepts as a donation any body wearing an identity tag, shall, before giving such authorisation or removing such eye tissue or accepting such body, as the case may be, first satisfy himself as to the authenticity of the relevant identity tag.

**PRESCRIBED AUTHORISED INSTITUTIONS, PRESCRIBED TISSUE AND
 PRESCRIBED PURPOSES**

9. (1) Any person who desire or proposes the making by the Executive Committee of regulations prescribing -

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[The verb “desire” in subregulation (1) should be “desires” to be grammatically correct.]

- (a) tissue which a district surgeon or other medical practitioner who performs a post-mortem examination of the body of a deceased person: under section 3 of the Inquests Act, 1959 (Act 58 of 1959) may remove from that body under section 7 of the Ordinance;
- (b) an authorised institution to which tissue referred to in paragraph (a) shall be donated;
- (c) those of the purposes stated in section 2(1) of the Ordinance for which an authorised institution referred to in paragraph (b) may receive and use or issue tissue referred to in paragraph (a) which has been donated to it,

shall apply therefor in writing to the Executive Committee.

- (2) Any application referred to in subregulation (1) shall be submitted to the Director.

10. (1) A prescribed authorised institution shall be responsible for all expenditure incurred in connection with the acquisition, preservation, use, processing and issue of all prescribed tissue donated to it in terms of section 7(1) of the Ordinance.

(2) The monies charged by a prescribed authorised institution in respect of prescribed tissue, or any therapeutic substance derived therefrom, supplied by it to any hospital, medical practitioner, dentist or medical or dental school at any university shall not exceed the actual expenditure incurred in connection with the acquisition, preservation, use, processing and issue of the said prescribed tissue or therapeutic substance.

TISSUE

11. (1) Tissue, including prescribed tissue, shall be removed from a body by means of standard incisions only.

(2) The removal of tissue, including prescribed tissue, shall cause no unnecessary mutilation of a body.

12. All tissue, including prescribed tissue, which has been removed from the body of a deceased or living person shall at all times be handled in such way as to ensure the optimal usefulness thereof.

REGISTERS

13. An authorised institution, including an authorised institution which is also an approved institution or a prescribed authorised institution, or both, shall keep registers in which shall be recorded -

- (a) in regard to bodies received by such authorised institution -
 - (i) (aa) the name;
 - (bb) the age;
 - (cc) the sex;

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- (dd) the population group; and
- (ee) the identity number of the deceased;
- (ii) the name and address of the person by whom the donation has been made and in what capacity he has made the donation;
- (iii) the purpose for which the donation has been made; and
- (iv) the date of which the body has been received;
- (b) in regard to tissue received by such authorised institution -
 - (i) the kind of tissue so received;
 - (ii) the quantity of each kind of tissue so received;
 - (iii) the date on which the tissue has been received;
 - (iv) (aa) the name;
 - (bb) the age;
 - (cc) the sex;
 - (dd) the population group; and
 - (ee) the identity number

[There should be a comma at the end of paragraph (ee).]

 - of the person from whose body the tissue has been removed;
 - (v) the name and address of the person by whom the donation has been made and in what capacity he has made the donation;
 - (vi) the purpose for which the donation has been made;
 - (vii) the various purposes for which such tissue has been used and the quantity thereof used for each of the said purposes: Provided that if any such tissue is used for the preparation of any therapeutic substance, there shall furthermore be recorded in relation to such therapeutic substance -
 - (aa) the quantity of such therapeutic substance so prepared;
 - (bb) should any portion of such therapeutic substance have been issued, the name of every person to whom or institution to which there has been issued thereof and the quantity thereof issued to every such person or institution;
 - (cc) should such therapeutic substance or any portion thereof be disposed of, the reason for any such disposal and the quantity so disposed of;

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(viii) should any such tissue be disposed of, the reason for each such disposal and quantity disposed of.

14. (1) An approved institution shall, in addition to any other registers which shall be kept by such institution in terms of these regulations, also keep registers in which -

- (a) (i) the full names;
- (ii) the address;
- (iii) the age;
- (iv) the sex
- (v) the population group; and
- (vi) the identity number

[There is no punctuation at the end of subparagraphs (iv)-(vi) in the *Official Gazette*.]

of each person to whom an identity tag is issued;

- (b) a serial number for each person to whom an identity tag is issued;
- (c) the date on which the identity tag was issued;
- (d) an indication whether it is the whole body or specific tissue only which has been donated and, if specific tissue, also a description or an illustration or both a description and an illustration of that tissue, and the quantity of each kind of that tissue which has been donated;
- (e) the name and address of any of the next of kin of the person to whom the identity tag is issued, which name and address shall be obtained from the person to whom the identity tag is issued, or from the person who has donated his body or any specific tissue thereof to the approved institution,

shall be recorded.

(2) The serial number referred to in subregulation (1)(b) allotted in respect of a specific donor shall not thereafter again be allotted in respect of another donor also.

15. A medical practitioner who removes prescribed tissue from the body of a deceased person under section 7(1) of the Ordinance shall keep a register in which the following particulars shall be recorded in respect of all prescribed tissue so removed by him:

- (a) the name or mortuary reference number of the deceased person from whose body the prescribed tissue has been removed;
- (b) the kind or kinds of prescribed tissue which has or have been removed and the quantity of each kind of prescribed tissue so removed;
- (c) the date on which the removal took place;

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- (d) the name and address of each prescribed authorised institution to which prescribed tissue so removed has been donated and the quantity thereof donated to each such prescribed authorised institution.

16. A prescribed authorised institution shall, in addition to any other registers which shall be kept by such institution in terms of these regulations, keep a register in which the following particulars shall be recorded in respect of all prescribed tissue received by it -

- (a) the kind or kinds of prescribed tissue and the quantity of each kind which has been received;
- (b) the name and address of the medical practitioner who has donated the prescribed tissue to it, and the quantity thereof received from such medical practitioner;
- (c) the date on which the prescribed tissue has been received;
- (d) the prescribed purpose for which the prescribed tissue so received has been used or issued, and the quantity used or issued for each such purpose: Provided that if the prescribed tissue so received, or any portion thereof, has been used for the preparation of any therapeutic substance there shall in respect of the prescribed tissue so used also be recorded -
- (i) the kind of therapeutic substance prepared therefrom and the quantity thereof;
- (ii) the name and address of each person or institution to whom or to which any such therapeutic substance has been issued and the quantity thereof issued to each such person or institution;
- (iii) the quantity of each such therapeutic substance disposed of, if any, and the reason for such disposal;
- (iv) the quantity of any such therapeutic substance used for any other purpose (which shall also be recorded);
- (e) the quantity of prescribed tissue disposed of, if any, and the reason for such disposal.

17. All registers to be kept in terms of these regulations, shall be retained for a period of at least three years after the date on which the last entry has been made therein.

REPORTS

18. An authorised institution, including an authorised institution which is also an approved institution or a prescribed authorised institution or both, shall, on or before the fifteenth day of May of each year submit to the Director a report in writing in which there shall be stated, in respect of the period of twelve months ended on the thirty-first day of March of that year -

- (a) the number of bodies received by the institution concerned;
- (b) in regard to tissue received by the authorised institution concerned -
- (i) the various kinds of tissue received by the authorised institution concerned and the quantity of each kind of tissue so received;

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- (ii) should any such tissue have been disposed of, the reason for each such disposal and the quantity disposed of;
- (iii) the various purposes for which such tissue has been used, and the quantity thereof used for each such purpose: Provided that if any such tissue has been used for the preparation of any therapeutic substance there shall furthermore be stated in relation to such therapeutic substance -
 - (aa) the quantity of such therapeutic substance so prepared;
 - (bb) if any portion of such therapeutic substance has been issued, the name of each person to whom or institution to which any portion thereof has been issued and the quantity thereof which has been issued to each such person or institution;
 - (cc) if any such therapeutic substance or any portion thereof has been disposed of, the reason for any such disposal and the quantity disposed of;
 - (dd) the quantity of such therapeutic substance which the institution concerned has in stock on the last day of the period reported on.

19. An approved institution shall, in addition to any other report to be submitted by it in terms of these regulations, on or before the fifteenth day of May of each year submit to the Director a report in writing in which there shall be stated -

- (a) the number of identity tags issued during the period of twelve months which ended on the thirtyfirst day of March of that year, and the serial numbers of those identity tags;

[There should be a hyphen between the words "thirty" and "first".]

- (b) the number of those identity tags relating to -
 - (i) bodies donated to the approved institution concerned;
 - (ii) each kind of tissue donated to the approved institution concerned.

20. A medical practitioner who has under section 7(1) of the Ordinance removed prescribed tissue from the body of a deceased person shall, on or before the fifteenth day of May of each year, submit to the Director a report in writing in which, in respect of the period of twelve months which ended on the thirty-first day of March of that year, there shall be stated -

- (a) the kind or kinds of prescribed tissue so removed by him;
- (b) the quantity of each kind of prescribed tissue so removed by him; and
- (c) the name and address of each prescribed authorised institution to which tissue so removed has been donated and the quantity thereof donated to every such prescribed authorised institution.

21. A prescribed authorised institution shall, in addition to any other reports to be submitted by it in terms of these regulations, on or before the fifteenth day of May of each year

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submit to the Director a report in writing in which there shall be reported in respect of all prescribed tissue received by that institution during the period of twelve months which ended on the thirty first day of March of that year -

[There should be a hyphen between the words “thirty” and “first”.]

- (a) the kind or kinds of prescribed tissue, and the quantity of each kind, so received;
- (b) the name and address of each medical practitioner from whom prescribed tissue was received and the quantity which was received from each such medical practitioner;
- (c) the prescribed purpose for which the prescribed tissue so received has been used or issued and the quantity used or issued for each such purpose: Provided that if the prescribed tissue or any portion thereof so received has been used for the preparation of any therapeutic substance, there shall also be stated in respect of the prescribed tissue so used -
 - (i) the kind of therapeutic substance prepared therefrom and the quantity thereof;
 - (ii) the name and address of each person to whom or institution to which any such therapeutic substance has been issued and the quantity thereof issued to each such person or institution;
 - (iii) the quantity of each such therapeutic substance disposed of, if any, and the reason for such disposal;
 - (iv) the quantity of any such therapeutic substance used for any other purpose (which also has to be stated);
 - (v) the quantity of each such therapeutic substance in stock on the last day of the period reported on;
- (d) the quantity of prescribed tissue so received disposed of, if any, and the reason for such disposal;
- (e) the quantity of each kind of prescribed tissue in stock on the last day of the period reported on.

GENERAL

22. (1) The Director and any official of the Health Services Branch authorised thereto in writing by the Director may, at any reasonable time, with or without prior notice, enter any premises on which an authorised institution, including an authorised institution which is also an approved institution or a prescribed authorised institution or both, performs or causes to be performed any act pertaining to its activities, and inspect such premises or any equipment, method or register which is used, employed or kept in respect of any such activities.

(2) The chief and every person employed by an authorised institution, including an authorised institution which is also an approved institution or a prescribed authorised institution or both, shall allow every person who wishes to make an inspection referred to in subregulation (1) to do so, and shall not hinder. Impede or obstruct such person in any way in the execution of such inspection and shall render to such person all assistance required by such person in the execution of such inspection.

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23. The owner of an authorised institution shall -
- (a) as soon as he receives notice that the Executive Committee has granted the necessary authorisation to make that institution an authorised institution, furnish the Director in writing with the name of the chief of that authorised institution;

[The word “writing” is misspelt in the *Official Gazette*, as reproduced above.]

- (b) whenever somebody else is appointed as chief of that authorised institution, immediately furnish the Director in writing with the name of that person.

24. The Chief of an authorised institution shall -

- (a) subject to the provisions of regulation 2, be empowered to exercise or cause to be exercised all powers;
- (b) subject to the provisions of regulation 23, be obliged to ensure that all duties are complied with

[There should be a comma at the end of paragraph (b).]

which, by or in terms of these regulations, are granted or entrusted to such authorised institution, including, where such authorised institution is also an approved institution or a prescribed authorised institution, or both, all powers and duties so granted or entrusted to such authorised institution in its capacity as an approved institution or as a prescribed authorised institution.

25. Subject to the provisions of the Ordinance, the forms the numbers of which are mentioned in Column I, hereunder, which forms are set out in Schedule III, shall be completed in the performance, in terms of the Ordinance, of the acts mentioned against the said numbers in Column II hereunder, and the relevant documents and forms (if any) indicated on any such form shall in accordance with the indications contained therein be attached to such form when such form is after completion thereof, submitted to the authority prescribed by the Ordinance, or these regulations.

Column I	Column II
Number of Form	Action performed in terms of the Ordinance
1.	Request for authorisation to perform a post-mortem examination.
2.	Granting of permission to perform a post-mortem examination.
3.	Granting of authorisation to perform a post-mortem examination in terms of section 2(2)(a).
4.	Request for authorisation to remove tissue other than eye tissue.
5.	Donation of a body or part of a body in terms of section 2(2)(a).
6.	Granting of authorisation to remove tissue other than eye tissue.
7.	Establishing of death for purposes of section 3(2) of Ordinance 12 of 1977.
8.	Declaration that issue is required immediately to save life. [The word “tissue” is misspelt as “issue” in the <i>Official Gazette</i> , as reproduced above.]

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- | | |
|-----|--|
| 9. | Donation of tissue of, or granting of permission to execute a post-mortem examination of a body by district surgeon. |
| 10. | Certification that removal of tissue will not affect the outcome of examination in terms of section 3 of Act 58 of 1959, and permission for such removal. |
| 11. | Report to Secretary: South West Africa and written declaration regarding the removal of eye tissue or the granting of authority for the removal of other tissue. |
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SCHEDULE I

Identity tags and approved institutions by which they may be issued.

[There is no content in this Schedule aside from the heading.]

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SCHEDULE II

[There is no heading for this Schedule in the *Official Gazette*.]

Column I Tissue which may be removed at certain post-mortem examinations and donated to authorised institutions.	Column II Authorised institutions to which such tissue may be donated	Column III Purposes for which tissue so donated may be receive and used or issued.

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SCHEDULE III

FORM 1.

REQUEST IN TERMS OF SECTION 5 OF ORDINANCE 12 OF 1977 FOR
AUTHORISATION TO PERFORM A POST-MORTEM EXAMINATION

I,
a duly registered medical practitioner hereby request authorisation to perform a post-mortem examination
of the body of the late

Name

Age

Sex

Population Group

* Hospital No..... Identity No.....

*Date of admission to hospital

Date of death Place of death

(Mention ward if death occurred in hospital)

Time of death

for the purpose mentioned hereunder namely:

(a) closer establishment of cause of death

(b) specific scientific purpose

If (b), give a short explanation of that purpose:

.....
.....
.....

2. Consent for the performance of such post-mortem examination has been given by -

*(i) the deceased in his will/in a document attested by at least two competent witnesses/in a statement
made orally in the presence of at least two person of or over the age of 18 years: (Extract from
will/copy of document attached/not attached. It must be attached if available.)

[The phrase "two person" should be "two persons".]

*(ii) the spouse/major child/parent/guardian/major borther/major sister of the deceased: (Form 2
attached/not attached. It must be attached if completed.)

[The word "brother" is misspelt in the Official Gazette, as reproduced above.]

*(iii) the District Surgeon of
after none of the persons referred to in (ii) could be traced (Form 9 must be attached).

PLACE

DATE

SIGNATURE

QUALIFICATIONS

CAPACITY

* Delete whichever is not applicable.

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FORM 2.

CONSENT TO A POST-MORTEM EXAMINATION IN TERMS OF SECTION 2(2)(a) OF
ORDINANCE 12 OF 1977

1. I,
being the *spouse/major child/parent/guardian/major brother/major sister of the late

Name

Age

Sex

Population group

hereby consent to a post-mortem examination and the removal of any tissue which may be considered necessary for the purposes of the said examination of the body of the above mentioned person.

+ 2. The consent is given for the following purpose, namely:

- (a) closer establishment of cause of death
- (b) medical education
- (c) medical research
- (d) advancement of medical science
- (e) other scientific purpose

If (e), give a short explanation of that purpose.

.....
.....
.....
.....
.....

SIGNATURE

WITNESSES

1.

2.

PLACE

DATE

TIME

* Delete whichever is not applicable.

+ Completion of this paragraph is optional

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FORM 3

AUTHORISATION IN TERMS OF SECTION 5(1) OF ORDINANCE 12 OF 1977 FOR THE
PERFORMANCE OF A POST-MORTEM EXAMINATION

I,
(name and capacity in which acting)

having satisfied myself that the provisions of section 5(2) of Ordinance 12 of 1977 have been complied with, do hereby authorise

.....
(name of medical practitioner)

in terms of section 5(1) of Ordinance 12 of 1977, before the burial or cremation thereof to perform a post-mortem examination of the body of the late

Name

Age Sex

Population group

Identity number

for the following purpose, namely:

- (a) closer establishment of cause of death
- (b) medical education
- (c) medical research
- (d) advancement of medical science
- (e) other scientific purpose

If (e), give a short explanation of that purpose.

.....
.....
.....
.....
.....

DATE STAMP

.....
SIGNATURE

.....
QUALIFICATIONS

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2. (a) The tissue was donated by -
- * (i) the deceased in his will/in a document attested by at least two competent witnesses/in a statement made orally in the presence of at least two persons of or over the age of 18 years (the body wears an identity tag/an extract from the will/copy of the document is attached/not attached; such an extract or copy must be attached if available.)
 - * (ii) the spouse/major child/parent/guardian/major brother/major sister of the deceased; (From 5 attached/not attached: must be attached if completed).
 - * (iii) the district surgeon of
..... who made the donation in terms of section 2(2)(b) of Ordinance 12 of 1977 (Form 9 must be attached as proof thereof) after none of the persons referred to in (ii) could be traced and two other medical practitioners having stated in writing (Form 8 completed by both of them must be attached as proof thereof) that in their opinion the use of such tissue in the body of another person is immediately necessary in order to save the life of such other person. (Form 7 completed by at least two separate medical practitioners. or a death certificate, whichever is applicable, must also be attached).

[The word "Form" is misspelt as "From" in the Official Gazette, as reproduced above.]

(b) I have satisfied myself as to the validity of the donation.

3. The body is -
- * (a) in my opinion not necessary, or not necessary any longer for the purposes of an examination referred to in section 5(2)(b) of Ordinance 12 of 1977;
 - * (b) necessary, or still necessary for the purposes of an examination in accordance with section *5(2)(b)(i)/(ii) of Ordinance 12 of 1977, but the medical practitioner who in the area concerned, is generally in charge of examinations in terms of the said section, has certified that in his opinion the removal of the tissue concerned will in no way affect the outcome of such an examination and has consented to such removal. (Form 10 must be attached.)
- PLACE:
- DATE:
- TIME
- SIGNATURE
- QUALIFICATIONS
- CAPACITY:

- * Delete whichever is not applicable.
- + If the request relates to removal of tissue donated by a district surgeon in terms of section 2(2)(b) of Ordinance 12 of 1977, from the body of a deceased person who has not been properly identified, as much information as possible (and particulars regarding the acquisition thereof) with regard to the identity of the deceased shall be furnished in the Annexure hereto.

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ANNEXURE TO FORM 4

A. Has any information in regard to his identity, last residential address and other appropriate personal particulars been obtained from the deceased himself prior to his death?

..... YES/NO

If so, furnish particulars, especially in respect of the personal particulars required in paragraph 1

.....
.....
.....
.....
.....

B. Has any information in regard to the deceased's identity and other appropriate personal particulars, been obtained from the person or persons who brought the deceased to the hospital

..... YES/NO

If so, state the name or names of that person or those persons and furnish particulars especially in respect of the personal particulars required in paragraph 1

.....
.....
.....
.....
.....

C. Has any information in regard to the deceased's identity and other appropriate personal particulars been obtained from documents or other possessions of the deceased?

..... YES/NO

If so, state the documents or possessions and furnish particulars especially in respect of the personal particulars required in paragraph 1

.....
.....
.....
.....
.....

D. What other steps have been taken to establish the identity and other appropriate personal particulars of the deceased (with special reference to the personal particulars required in paragraph 1)?

.....
.....
.....
.....
.....

(State the names and addresses of the persons who have been communicated with, the dates and time on which that happened and the results thereof.)

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E. Has the person in charge of the appropriate ward or branch of the hospital to which the deceased was admitted been informed of the intention to use the deceased as a possible donor

..... YES/NO

If so, has that person been requested to -

- (a) refer any person visiting the deceased to
- (b) furnish any information which may lead to the tracing of any of the next of kin of the deceased referred to in section 2(2)(a) of Ordinance 12 of 1977 to

the medical superintendent of the hospital concerned or any person acting on his behalf in order that such person could be communicated with a view to the acquisition of the donation and person particulars required once the decision to use the deceased as a donor, had been taken?

..... YES/NO

F. the deceased was transferred to the hospital when he died from

.....

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FORM 5.

DONATION OF A BODY OF PART OF A BODY IN TERMS OF
SECTION 2(2)(a) OF ORDINANCE 12 OF 1977

**[The word "OF" between "BODY" and "PART" should be "OR",
so that the phrase reads "BODY OR PART OF A BODY".]**

1. I,
being the *spouse/major child/parent/guardian/major brother/major sister of the late
Name
Age
Sex
Population Group
do hereby donate *the whole body/the following part of the body of the deceased, namely -
.....
.....
.....
.....
.....
to

(name of donee)

+ 2. The donation is made for the following purpose, namely -
.....
.....
.....

SIGNATURE

WITNESSES

1.
2.

PLACE:

DATE:

TIME:

* Delete whichever is not applicable.

+ Completion of this paragraph is optional.

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FORM 6

AUTHORISATION IN TERMS OF SECTION 5(1) OF ORDINANCE 12 OF 1977
FOR THE REMOVAL OF TISSUE OTHER THAN EYE TISSUE

I,
(name and capacity in which acting)

having satisfied myself that the requirements of section 5(2) of Ordinance 12 of 1977 have been complied with do hereby authorise

.....
(name of medical practitioner or dentist)

who has so requested, in terms of section 5(1) of Ordinance 12 of 1977 to remove

.....
(specify tissue(s))

for the following purpose, namely -

.....

from the body of the late

.....
(name of deceased)

before the burial or cremation thereof.

Date Stamp

.....
SIGNATURE AND QUALIFICATIONS.

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FORM 7

PROOF OF DEATH FOR PURPOSES OF SECTION 3(2) OF ORDINANCE 12 OF 1977

Remarks: At least two copies of this form shall, in all instances where tissue, other than eye tissue or bone is removed from the body of a deceased person within 30 minutes after death has occurred, be completed by different medical practitioners one of whom has been practising as a medical practitioner for at least five years after the date on which he was registered as a medical practitioner in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), before that tissue is removed. Such copies shall then be attached to the request for authorisation to remove the tissue(s) concerned from the body of the deceased (Form 4).

[The word “practitioners” is misspelt in the *Official Gazette* in its first use in the paragraph above. Medical practitioners are now registered under the Health Professions Act 16 of 2024.]

I,

hereby certify that -

- (1) I have been registered as a medical practitioner in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974) */and have been practising as a medical practitioner for at least five years after the date on which I have been so registered;

[Medical practitioners are now registered under the Health Professions Act 16 of 2024.]

- (2) I am not a member of the team of a medical practitioners who will use tissue removed from the body of the under-mentioned person in any living person;

[The word “a” before medical practitioners” is superfluous”.]

- (3) I have examined the body of the under-mentioned person and that in my opinion he is dead.

Name of person examined

.....

Sex

Age

Population group

PLACE:

DATE:

TIME:

SIGNATURE:

QUALIFICATIONS:

* Delete if not applicable.

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FORM 8

STATEMENT IN TERMS OF SECTION 2(2)(b)(i) OF ORDINANCE 12 OF 1977 THAT
TISSUE IS IMMEDIATELY NECESSARY IN ORDER TO SAVE LIFE

Remarks: In all instances where a deceased's next of kin referred to in section 2(2)(a) of the Ordinance cannot be traced and a district surgeon is therefore approached instead of the said next of kin to make a donation of tissue, other than eye tissue, from the body of the deceased, copies of this form, completed by at least two other medical practitioners, shall be submitted to such district surgeon before he makes such donation. Those copies shall then be attached, together with form 9 (the form in which the donation is intimated), to the request for authorisation to remove the tissue in question from the body of the deceased (Form 4).

I,
a duly registered medical practitioner, hereby declare that in my opinion the use of the following tissues(s)
namely

.....
.....

from the body of the late

Name

Age

Sex

Population group

in the body of

Name

Age

Sex

Population group

is immediately necessary in order to save the life of the last-mentioned person.

PLACE:

DATE:

TIME:

SIGNATURE

QUALIFICATIONS

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FORM 9

*DONATION/CONSENT BY DISTRICT SURGEON IN TERMS OF
SECTION 2(2)(b) OF ORDINANCE 12 OF 1977

I,
District Surgeon of
having satisfied myself that the provisions of section 2(2)(b) of Ordinance 12 of 1977 have been duly
complied with

*(1) hereby donate, in terms of section 2(2)(b)(i) of the said Ordinance, the following tissue(s), namely -

.....
.....
.....
.....

from the body of the late

Name

Age

Sex

Population group

to be used in the body of

Name

Age

Sex

Population group

in order to save or endeavour to save the life of the last-mentioned person;

*(2) hereby consent, in terms of section 2(2)(b)(ii) of the said Ordinance to a post-mortem examination
of the body of the late

[There is an unnecessary bracket before “(b)” in the Official Gazette.]

Name

Age

Sex

Population group

for the following purposes, namely -

.....
.....
.....
.....
.....
.....

Official Stamp

.....

SIGNATURE

.....

QUALIFICATIONS

* Delete whichever is not applicable.

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FORM 10

**CERTIFICATE IN TERMS OF THE PROVISO TO SECTION 5(2)(b)(ii) OF
ORDINANCE 12 OF 1977 IN RESPECT OF A MEDICO-LEGAL CASE**

I,
a duly registered medical practitioner who is generally in charge of examinations in terms of section 3 of
the Inquests Act, 1959 (Act 58 of 1959) in the

..... (area)

hereby certify that in my opinion the removal of the following tissues(s), namely -

.....
.....
.....
.....

from the body of the late

Name

Age

Sex

Population group

will in no way affect the outcome of such an examination and hereby consent to such removal.

.....
SIGNATURE

.....
CAPACITY

PLACE

DATE:

TIME:

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FORM 11

REPORT ON AND STATEMENT REGARDING *AUTHORISATION FOR THE
REMOVAL OF TISSUE/REMOVAL OF EYE TISSUE REQUIRED BY SECTION 6
OF ORDINANCE 12 OF 1977

CONFIDENTIAL
REGISTERED POST

The Secretary: South West Africa
Private Bag 13186
WINDHOEK
9000

Dear Sir,

In terms of section 6 of the Anatomical Donations and Post-Mortem Examinations Ordinance, 1977
(Ordinance 12 of 1977), I

.....
.....

in my capacity as

.....
.....

do hereby report that I have *granted authorisation for the removal of tissue/removed eye tissue from the
body of a person who has died.

I attach hereto as an annexure a written statement in which the particulars required by the said section 6
are set forth.

Yours faithfully

.....
SIGNATURE

.....
NAME IN BLOCK LETTERS

.....
QUALIFICATIONS

DATE:

ADDRESS

.....
.....

* Delete whichever is not applicable.

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ANNEXURE TO FORM 11

WRITTEN STATEMENT IN WHICH PARTICULARS REQUIRED BY SECTION 6 OF
ORDINANCE 12 OF 1977 REGARDING *AUTHORISATION FOR THE REMOVAL OF
TISSUE/REMOVAL OF EYE TISSUE ARE SET FORTH

- (a) Name of deceased person
- Age
- Sex
- Population group
- Date of death
- Place of death
- (b) Name (names) of medical practitioner(s) who, in terms of section 3(2) of Ordinance 12 of 1977, established the death of the deceased person
.....
.....
- (c) Description of -
 - (i) tissue which has been removed
 -
 -
 - (ii) purpose for which such removal was affected
.....
.....
.....
- (d) Name of *medical practitioner/dentist in charge of operation whereby the removal of the tissue was affected
- (e) (i) Name of person who consented to removal of tissue
- (ii) Manner in which such consent was given
-
- * (f) (i) Name of person in whom such tissue has been used
-
-
- (ii) Name of *medical practitioner/dentist in charge of the operation in which such tissue has been used on the said person
.....
- (This paragraph need only be completed in the event of the tissue having been used in another person within twenty-one days after the death of the person from whose body it has been removed.)
- * (g) Name of authorised institution to which the tissue has been delivered
.....
.....
.....

SIGNATURE

* Delete whichever is not applicable.