

REPUBLIC OF ZAMBIA

THE HUMAN TISSUE ACT

CHAPTER 306 OF THE LAWS OF ZAMBIA

CHAPTER 306 THE HUMAN TISSUE ACT

THE HUMAN TISSUE ACT

ARRANGEMENT OF SECTIONS

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2. Examination and use of bodies for medical purposes
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CHAPTER 306

HUMAN TISSUE

An Act to make provision with respect to the examination and use of, or of parts of, bodies of deceased persons for therapeutic purposes and purposes of medical education and research.

(7th December, 1962)

*Federal Act
47 of 1962
Government
Notice 360 of 1963
Federal Act
47 of 1962
Government Notice
360 of 1963*

1. This Act may be cited as the Human Tissue Act.

Short title

2. (1) If any person, either in writing at any time or orally in the presence of two or more witnesses during his last illness, has expressed a request that after his death his body or any specified part of his body be used for therapeutic purposes or be examined or used for purposes of medical education or research, the person lawfully in possession of his body after his death may, unless he has reason to believe that the request was subsequently withdrawn, authorise the examination or use of the body or of the specified part, in accordance with the request, and for that purpose may authorise the removal from the body of any part or, as the case may be, the specified part, for such examination or use.

Examination and use of bodies for medical purposes

(2) Without prejudice to the provisions of subsection (1), the person lawfully in possession of the body of a deceased person may, for the said purposes, authorise the examination or use of the body and the removal from the body of any part if, having made such reasonable inquiry as may be practicable, he has no reason to believe-

- (a) that the deceased had expressed an objection to his body being so dealt with after his death, and had not withdrawn it; or
- (b) that the surviving spouse or any surviving relative of the deceased objects to the body being so dealt with.

(3) Subject to the provisions of this Act-

- (a) the examination and use of, or of any part of, a body; and
- (b) the removal of any part of a body;

in accordance with an authority given in pursuance of this section shall be lawful.

3. (1) Where a person has reason to believe that, in accordance with any written law for the time being in force-

Further provision with respect to the giving of an authority for the examination and use of bodies

- (a) an inquest may be required to be held on a body; or
- (b) a *post-mortem* examination may be required to be carried out on a body; or
- (c) a body or any part of a body may be required to be dealt with or disposed of in any other manner prescribed by or under the written law; he shall not-
 - (i) give an authority under section *two* in respect of that body or part; or
 - (ii) act on such an authority given by any other person.

(2) No authority shall be given under section *two* in respect of any body by a person entrusted with the body for the purpose only of its interment or cremation.

(3) In the case of a body lying in a hospital, nursing home or other institution, any authority under section *two* may be given on behalf of the person having the control and management thereof by any officer or person designated for that purpose by the first-mentioned person.

(As amended by G.N. No. 360 of 1963)

4. (1) No examination of, or of a part of, a body in accordance with an authority given under section *two* shall be carried out otherwise than by or in accordance with the instructions of a medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

Examination of bodies and removal of parts to be undertaken under medical supervision

(2) No removal of a part of a body in accordance with an authority given under section *two* shall be effected except by a medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

5. Nothing in this Act shall be construed as rendering unlawful any dealing with, or with any part of, the body of a deceased person which is lawful apart from this Act.

Saving

REPUBLIC OF ZAMBIA

THE ZAMBIA RED CROSS SOCIETY ACT

CHAPTER 307 OF THE LAWS OF ZAMBIA

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THE ZAMBIA RED CROSS SOCIETY ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
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3. Establishment, incorporation and government of Society
4. Objects of Society
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CHAPTER 307

ZAMBIA RED CROSS SOCIETY

9 of 1966
13 of 1994

An Act to establish and incorporate the Zambia Red Cross Society and for matters incidental thereto and connected therewith.

[22nd April, 1966]

1. This Act may be cited as the Zambia Red Cross Society Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

"the Branch" means the Zambia Branch of the British Red Cross Society;

"the Conventions" means the Geneva Conventions of the 12th August, 1949, for the amelioration of the condition of the wounded and the sick of armed forces in the field and of sick and shipwrecked members of armed forces at sea, and relative to the treatment of prisoners of war and to the protection of civilian persons in time of war;

"the Council" means the Council provided for under section *three*;

"the Society" means the Zambia Red Cross Society established under subsection (1) of section *three*.

The Laws of Zambia

3. (1) There is hereby established a society to be known as the Zambia Red Cross Society which shall be the sole national Red Cross society in Zambia.

Establishment,
incorporation and
government of Society

(2) The Society shall be a body corporate having perpetual succession and a common seal, with power to sue and be sued, to purchase, acquire, hold, manage and dispose of real and personal property, and to enter into any such contracts as it may consider necessary or expedient for the purpose of performing its functions or achieving its objects under this Act.

(3) The Society shall be governed by a Council which, save as provided in paragraph (b) of section *eight*, shall be constituted in accordance with rules made under this Act.

(4) The Council may appoint an Executive Committee with such powers, functions and duties as may be prescribed by rules made under this Act.

4. (1) The objects of the Society shall be-

Objects of Society

- (a) to furnish aid to the sick and wounded in time of war and to non-belligerents and prisoners of war and civilian sufferers from the effects of war;
- (b) to perform all the duties which devolve upon a National Society in accordance with the provisions of the Conventions; and
- (c) in time of peace or war to carry on and assist in the work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world, among all men and all nations.

(2) In pursuing the objects set out in subsection (1), the Society shall not make any adverse distinction founded on sex, race, nationality, religion, faith, political opinion or other similar criteria.

5. (1) The Society is hereby recognised as a voluntary aid society auxiliary to public authorities exercising their obligations under the Conventions.

Recognition of Society
as independent
voluntary aid society

(2) The independent and voluntary nature of the Society shall at all times be respected in accordance with the resolution relative to National Red Cross Societies adopted by the General Assembly of the United Nations on the 19th November, 1946.

6. (1) No person other than the Society or a person so authorised under the Conventions shall, without the authority of the Council, use for any purpose whatsoever any of the following emblems or designations, that is to say:

Misuse of Red Cross emblems

- (a) the emblem of a red cross with vertical and horizontal arms of the same length on, and completely surrounded by, a white ground, or the designation "Red Cross" or "Geneva Cross";
- (b) the emblem of a red crescent moon on, and completely surrounded by, a white ground, or the designation "Red Crescent";
- (c) the following emblem in red on, and completely surrounded by, a white ground, that is to say, a lion passing from right to left of, and with its face turned towards, the observer, holding erect in its raised right forepaw a scimitar, with, appearing above the lion's back, the upper half of the sun shooting forth rays, or the designation "Red Lion and Sun".

(2) Any person who contravenes the provisions of subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding three thousand penalty units.

(As awarded by Act no. 13 of 1994)

7. The Council may, by statutory instrument, make rules providing for membership of an association with the Society, for the management of the affairs of the Society and for the accomplishment of the objects of the Society, and may amend or revoke any such rules.

Rules

8. Upon the commencement of this Act-

Transitional

- (a) all property, assets, rights, liabilities, obligations, agreements and rules vested in, acquired, incurred or entered into by or on behalf of, or made by the Branch shall be deemed to be vested in or to have been acquired, incurred or entered into by or on behalf of, or made by the Society; and accordingly every such right, liability or obligation may be enforced by or against the Society to the same extent as it could have been enforced by or against the Branch;
- (b) the members of the Central Committee of the Branch shall be the first members of the Council of the Society and shall together constitute that Council; and
- (c) subject to the provisions of any rules made under this Act, Life Associates and Associates of the Branch shall be respectively Life Associates and Associates of the Society.