

**THE CORNEAL GRAFTING ORDINANCE,
1960**

No. 10 of 1960

Date of Assent: 11th April, 1960

Date of Commencement: 12th July, 1960

ARRANGEMENT OF SECTIONS

SECTION	SECTION
1—Short title and commencement.	2—Removal of eyes of deceased persons.

**AN ORDINANCE TO MAKE PROVISIONS WITH
RESPECT TO THE USE OF EYES OF DECEASED
PERSONS FOR THERAPEUTIC PURPOSES**

ENACTED by the Legislature of the Colony and Protectorate of Kenya, as follows:—

Short title and commencement.

1. This Ordinance may be cited as the Corneal Grafting Ordinance, 1960, and shall come into operation three months after the day on which it is published in the Gazette.

Removal of eyes of deceased persons.

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 his eyes be used for therapeutic purposes after his death, the party lawfully in possession of his body after his death may, unless he has reason to believe that the request was subsequently withdrawn, authorize the removal of the eyes from the body for use for those purposes.

(2) Without prejudice to the provisions of subsection (1) of this section, the party lawfully in possession of the body of a deceased person may authorize the removal of the eyes from the body for the purpose aforesaid unless that party has reason to believe—

(a) that the deceased had expressed an objection to his eyes being so dealt with after his death, and had not withdrawn it; or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 deceased's eyes being so dealt with.

(3) An authority given under this section in respect of any deceased person shall be sufficient warrant for the removal

of the eyes from the body and their use for therapeutic purposes; but no such removal shall be effected except by a medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

(4) Authority for the removal of eyes shall not be given under this section if the party empowered to give such authority has reason to believe that an inquest may be required to be held on the body.

(5) No authority shall be given under this section in respect of the body of a deceased person by a person entrusted by another person with the body for the purpose only of its interment or cremation.

(6) In the case of a body lying in a hospital, any authority under this section may be given on behalf of the person having the control and management of the hospital by any officer or person designated in that behalf by the person having such control and management.

(7) Nothing in this section shall be construed as rendering unlawful any dealing with, or with any part of, the body of a deceased person which would have been lawful if this Ordinance had not come into operation.