

## Motion

### **Organ Donation/Human Tissue Act**

WHEREAS very few organ donations are made in the NWT and no transplants are taking place;

AND WHEREAS the NWT's *Human Tissue Act* is extremely out-of-date and contains no legal definition of death for the purpose of transplantation;

AND WHEREAS the NWT's Act lacks protection from criminal and civil liability for parties acting in good faith and without negligence;

AND WHEREAS the NWT's Act contains no mention of who may carry out organ removal, beyond "therapeutic purposes," "medical education," and "medical research";

AND WHEREAS the NWT's Act does not explicitly provide for transplants between living bodies, such as for a kidney donation to a relative;

AND WHEREAS the NWT's Act does not define what is considered to be "tissue";

AND WHEREAS the NWT's Act contains no penalties for violations of its provisions, and does not explicitly ban the sale of body parts or benefitting from donation of organs or tissue;

AND WHEREAS it is not clear in the NWT Act's consent provision if a "spouse" would include a common-law partner;

AND WHEREAS the NWT's Act has no clause dealing with confidentiality of information and how it may be used; and



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Date of Notice:	June 3, 2013	Moved by:	Mr. Dolynny
Date of Introduction:	June 6, 2013	Seconded by:	Mr. Yakeleya
Disposition:	Carried RV		
Carried:	June 6, 2013	Ruled Out of Order:	

AND WHEREAS the NWT's Act does not provide for the Commissioner or Minister to make regulations pertaining to such things as the qualifications of physicians involved in the donation and transplant process, or the establishment of a coordinating body to facilitate donations and use of donated organs or tissue;

NOW THEREFORE I MOVE, seconded by the honourable Member for Sahtu, that the Government of the Northwest Territories revise or replace the *Human Tissue Act* in order to create the a framework for organ donation that reflects the best practices across Canada;

AND FURTHER, that the Government provide a comprehensive response to this motion within 120 days.