
CHAPTER 67

THE CADAVERS (IMPORTATION) ACT

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CADAVERS (IMPORTATION)

(18th October, 1984.)

10/1984.

An Act to regulate the Importation of Cadavers and for matters incidental thereto and connected therewith.

1. This Act may be cited as the Cadavers (Importation) Act. **Short title.**

2. (1) In this Act—

**Interpretation
and application.**

"cadaver" means a dead human body or any part thereof;

“cadaver import permit” means a permit issued under the provisions of section 3;

“impervious container” means any container or box which has been hermetically sealed and so maintained by plastic or rubber gasket or by metal or similar material which has been soldered or welded and any container which consists of a plastic or other container sealed by heat or adhesive material before being placed in a non-impervious container.

(2) This Act shall not apply to the ashes of a deceased person imported for burial in Antigua and Barbuda.

Cadaver import permit.

3. No person shall import any cadaver into Antigua and Barbuda except under the authority of a written permit to do so issued by the Chief Medical Officer (herein referred to as a "cadaver import permit").

Refusal of landing rights without permit.

4. (1) The master of any vessel or aircraft on which a cadaver arrives in Antigua and Barbuda from a place outside Antigua and Barbuda shall, if there is not in existence in respect of such cadaver a valid cadaver import permit be refused permission to land such cadaver by the customs officer at the port of entry.

(2) A customs officer at a port of entry shall be entitled to examine the container in which any cadaver is imported so as to satisfy himself that such container contains only a cadaver and necessary clothing (if any) and that there is a cadaver import permit in existence in relation to such cadaver; but a customs officer shall not open any impervious container without the approval of the Chief Medical Officer.

Chief Medical Officer to be satisfied on certain matters.

5. Before issuing a cadaver import permit in respect of any cadaver the Chief Medical Officer shall be required to satisfy himself, upon documentary evidence emanating from the place from which the cadaver is to be imported, of the following matters:—

(a) that the exportation of the cadaver from the place or country from which it is to be imported is

authorised by the law of that place or country for the purpose for which it is being exported;

(b) of the cause of death of the deceased, and if the cadaver is intended to be used for medical research or instruction, that the cadaver is that of a person who died of natural causes or accident;

(c) that the importation and dissection of the cadaver is not likely to endanger the life or health of any person in Antigua and Barbuda, by reason of any disease or malignancy existing in the cadaver at the time of death;

(d) that the exportation of the cadaver for the purpose for which it is being exported has been consented to by the executors, administrators or relatives of the deceased, where the obtaining of such consent is reasonably practicable.

6. (1) The Chief Medical Officer shall attach conditions to the grant of a cadaver import permit with regard to:— **Conditions to be attached to permit.**

(a) the type of container in which the cadaver is to be imported;

(b) the purpose for which the cadaver is to be imported, whether or not such importation is for medical research or instruction.

(2) The Chief Medical Officer may add to or vary the conditions attached to the grant of a cadaver import permit after the grant thereof until final disposal of the cadaver to his satisfaction.

(3) The provisions of section 35 of the Births and Deaths (Registration) Act shall have no application to a cadaver imported for the purposes of medical research or instruction, but shall apply to interment of any dead body imported for burial notwithstanding that a cadaver import permit may have been granted in relation to it. **Cap. 53.**

7. The Chief Medical Officer may at any time by himself or a person authorised by him in writing open and inspect any container which purports to contain a cadaver and enter upon any premises where a cadaver is being kept **Inspection of container and premises.**

in order to satisfy himself that the cadaver is being imported, kept and disposed of in accordance with the conditions of the cadaver import permit relating to it.

Fees.

8. No customs duty or customs service charge shall be payable upon the importation of a cadaver, but the Minister may by Order prescribe the fees to be payable upon the issue of a cadaver import permit.

Offences and penalties.

9. (1) If a cadaver shall be imported, kept, used or disposed of contrary to the conditions attached to the cadaver import permit relating to it, the person in whose name the permit was granted or, in the case of a limited company, each of the officers of the company is guilty of an offence and liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for two years.

(2) Any person who prevents a customs officer or the Chief Medical Officer or any person authorised by either of them in writing from carrying out their respective functions under this Act is guilty of an offence and liable on summary conviction to a fine of ten thousand dollars and to imprisonment of one year.

Regulations.

10. The Minister may make regulations prescribing—

(a) the method of application for and the form of a cadaver import permit;

(b) the documentary evidence required before the grant of a cadaver import licence;

(c) the fees to be paid for the grant of a cadaver import permit;

(d) the conditions to be attached to the grant of a cadaver import permit;

(e) any other matter relating to the administration and implementation of this Act.
