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(A)

CANCER (REGISTRATION) ACT, 2016

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No. 25 of 2016

CANCER (REGISTRATION) ACT, 2016

AN ACT TO MAKE PROVISION FOR THE COMPILATION OF A STATISTICAL RECORD OF THE INCIDENCE AND TRENDS OF CANCER AND FOR MATTERS CONNECTED THERETO

[Date of Assent - 15th August, 2016]

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act may be cited as the Cancer (Registration) Act, 2016.
- (2) This Act shall come into force on such date as the Minister may appoint, by notice in the Gazette.

2. Interpretation.

In this Act —

“**cancer**” means —

- (a) a neoplasm of human tissue —
 - (i) in which cell multiplication is uncontrolled and progressive;
 - (ii) that, if unchecked may invade adjacent tissues or extend beyond its site of origin; and
 - (ii) that has the propensity to recur either locally or remotely in the body; and
- (b) any type of disease that is declared by Order by the Minister to be a cancer for the purposes of this Act;

“**diagnostic facility**” has the means ascribed to it in the Hospitals and Health Care Facilities Act (*Ch. 235*);

“**Minister**” means the Minister responsible for Health.

3. Objectives of Act.

The objectives of this Act are —

- (a) to provide for the reporting, recording and storage of data relating to cancer;
- (b) to provide for the implementation of a system to enable the recording of accurate population base data for the education, training, awareness and research of cancer;
- (c) to utilize data obtained to assist in identifying potential factors, genetic links and behaviours which may increase the likelihood of a cancer diagnosis.

4. Establishment of Registry.

- (1) There shall be established a registry to be called “the National Cancer Registry”.
- (2) The Minister shall appoint a duly qualified person to have responsibility for the control and maintenance of the Registry (hereinafter referred to as “the Registrar”).
- (3) The Registrar shall maintain a Register in a computerized database or other form approved by the Minister.
- (4) There shall be recorded and maintained in the Register, such information as the Registrar considers appropriate.

5. Mandatory reporting.

- (1) Notwithstanding any other law, where a person is diagnosed with cancer, whether that person is alive or otherwise, the person in charge of the diagnostic facility (hereinafter referred to as “the facility”) where the disease is diagnosed, shall submit a report of the diagnosis as shown in the *Schedule* within thirty days thereof to the Registrar.
- (2) Where a person is mandated to make a report pursuant to subsection (1), is satisfied that a report has already been made, such person need not make a subsequent report.
- (3) Where the Registrar is satisfied that a report made under subsection (1) is incomplete in any respect, such person may, for the purpose of obtaining the information, by notice in writing require the facility, to supply such information to him as may be specified in the notice.
- (4) No proceedings, civil or criminal, shall lie against any person by reason of that person having made available any information for the purposes of complying with this section.

6. Duties of Registrar.

The Registrar shall —

- (a) establish a database to record and store all reported information relating to cancer;
- (b) record accurate population base data for education, training, awareness and research of cancer;
- (c) take such steps as are necessary to protect the privacy of persons who are the subjects of the Register;
- (d) implement measures to prevent unauthorized access to the Register or to the storage facility or system on which the data or information is stored;
- (e) subject to section 7, carry out such other duties as may be considered necessary for the carrying out of the objectives of this Act; and
- (f) carry out such other duties as may be assigned from time to time by the Minister.

7. Confidentiality.

- (1) The Registrar shall not disclose any data or information unless such disclosure is required —
 - (a) by another person for carrying out functions for the administration of this Act;
 - (b) to assist in the research or surveillance of cancer incidence and trends, except that the identity of the persons who are the subject of the information shall not be revealed;
 - (c) for the purpose of ensuring the accuracy of the Register.
- (2) Any person who works with or come into contact with any data or information received pursuant to this Act, shall regard and deal with as secret and confidential any information stored in the Register.

8. Offences and penalties.

Any person who —

- (a) fails without reasonable excuse to comply with section 5; or
 - (b) knowingly supplies information that is false or misleading in purported compliance with section 5;
 - (c) contravenes any provision of this Act,
- commits an offence and is liable on conviction to a fine not exceeding twenty-five thousand dollars.

9. Regulations.

The Minister may make regulations providing for such matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.

10. Transitional provision.

- (1) Every —
 - (a) facility that maintained a registry of persons prior to the date of the coming into force of this Act, who —
 - (i) was diagnosed with cancer;
 - (ii) died, and cancer was an underlying cause of the death;
 - (b) medical practitioner that has in his possession information relating to a cancer diagnosis abroad,shall within six months from the date of the commencement of this Act, submit such information to the Registrar.
- (2) Any person who fails to comply with subsection (1) commits an offence.

SCHEDULE
(section 5)

MINISTRY OF HEALTH
CANCER REGISTRATION FORM

PARTICULARS OF INFORMATION:

Patient's Name: _____
(First) (Middle) (Last)

Date of Birth: _____ Sex : Male Female

Nationality: _____ Race: Black White Other

RISK FACTOR PROFILE:

Usual occupation of patient _____ *(If retired, give type of work done for most of working life)*

Did patient ever smoke tobacco Yes No Did patient ever consume alcohol regularly Yes No

CLINICAL AND LABORATORY DETAILS:

Date of diagnosis: _____

Cancer diagnosis and history: _____

(Please give all information available on the site, laterality, history and behavior of the tumor)

Grade: Well differentiated Moderately differentiated Poorly differentiated Unknown/Not applicable

Stage: Primary/localized Metastatic Unknown/Not applicable

Invasiveness: In-situ Invasive

Basis of diagnosis: Clinical Clinical with investigation Cytology/histopathology Molecular Death Certificate

Prescribed treatment: Surgery Radiation Chemotherapy Other Patiation Alternative None

INFORMANT PARTICULARS:

Print Name: _____ Occupation: _____

Place of Employment: _____ Telephone No: _____

Signature: _____ Date: _____