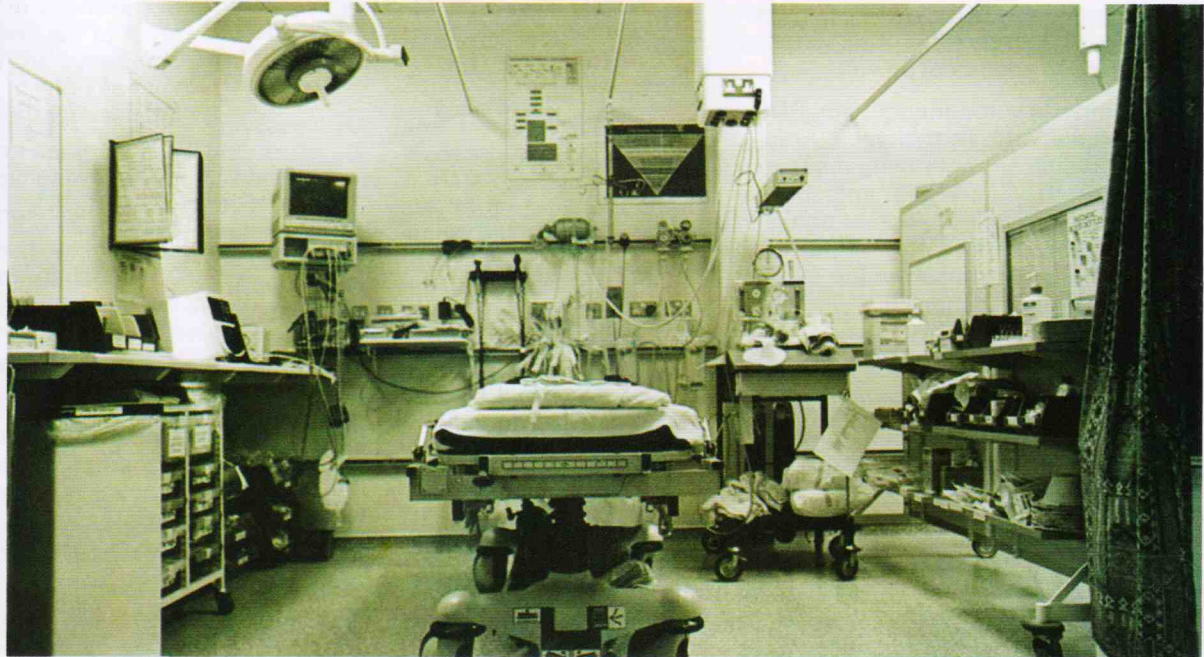


Anti-Trafficking in Persons Act of 2003 Implementing Rules and Regulations

*Art piece from the
collection of FNS Law.*



**JACK SALUD
"VIOLINIST"**



The Rules and Regulations implementing (IRR) Section 4(g) of R.A. No. 9208, otherwise known as the "Anti-Trafficking In Persons Act of 2003", in relation to Section 3(a) of the same act, on the "Trafficking of Persons for the Purpose of Removal or Sale of Organs" took effect on June 21, 2009.

Under the IRR, any individual, at least 18 years of age, of sound mind, and who understands the nature and consequences of transplanting organs from his or her body during his or her lifetime may donate, by way of a written consent to the removal of organ specified in the consent, for the purpose of implanting the organ into another living person. No living minor shall be allowed to donate any organ for the purpose of transplantation. The donation is to be made without any valuable consideration given by the donee-recipient to the donor. The term "valuable consideration" does not include reasonable payments associated with the removal, transportation, implantation, processing, preservation, quality control, and storage of a human organ or the expenses of travel, housing, and lost wages incurred by the donor in connection with the donation of the organ, medical insurance and periodic

health monitoring, life insurance, and cost of medicines of the donor to attain full recovery.

Any individual may become a donee-recipient of a human organ of a living related voluntary donor or living non-related voluntary donor for therapeutic purposes. However, in case of a living non-related voluntary donor, it has to be shown that all other members of the immediate family of the donee-recipient have been eliminated as potential donors. No alien may receive organ donation from living non-related Filipino donors.

The IRR likewise requires all hospital administrators to submit a monthly report on the transplantation performed to the Department of Health (DOH) for monitoring and regulatory purposes. It further mandates DOH to develop a comprehensive program for long term monitoring of donors after donation and for further care of donors who may have developed any medical problems after donation.

The law imposes up to twenty years imprisonment and a fine of not less than P1 Million pesos but not more than P2 Million pesos on any person, natural or juridical, found guilty of engaging in the trafficking of persons for the purpose of removal or sale of human organs. **LF**



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