

**A STUDY ON AN APPROPRIATE MODEL OF LAW ON HUMAN EMBRYO
STEM CELL RESEARCH IN MALAYSIA**

By

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Submitted in Partial Fulfillment of the Requirement for the Bachelor in Legal Studies
(Hons)

Universiti Teknologi Mara
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March 2012

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

ABSTRACT

Stem cells which are characterized by its ability to differentiate into specific cells are highly regarded by the scientific community as providing possible treatment for degenerative diseases. Owing to such great advantage to human race, scientific communities around the world have been conducting many research involving human embryonic stem cells. But the popularity of human embryonic stem cells has not only sparks interest among scientific community but also controversial among legislatures due to the employment of method which requires human embryos to be destroyed for extraction of the stem cells. The law to regulate the practices of human embryonic stem cells research among scientist is therefore inevitable to safeguard human subjects from malpractices by research community. The scantiness of proper mechanism to monitor and regulate the practices of human embryonic stem cells research has prompted for a specific legislation to be enacted in Malaysia. This research paper is therefore aims firstly to analyze the lacunae in Malaysia's regulatory scheme, secondly to study the legislative model of law on stem cell research in the United Kingdom and in the United States of America for lesson to be learned and lastly to make recommendations as to which model of law suits Malaysia in the matter of stem cells research. In using largely legislative materials from the UK and the US as well as scholastic journals, this research paper increases understanding of the legal approach in the UK and the US as well as the position in Malaysia.

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CHAPTER 1

INTRODUCTION

1.0 INTRODUCTION

In this chapter, we will be discussing the background of our research paper, the research question and the objective of our study. We further discuss our selected materials for use of our study in the literature review. We will also discuss the methodology used in our research as well as the scope and the limitation of our study. The significance of our research and provisional plan will also be highlighted.

1.1 RESEARCH BACKGROUND

Vital organ in our body system such as kidney plays an important role in maintaining one's healthiness. Failure of vital organs to function properly may adversely affects health and often than not lead to mortality. Although ailing vital organs can be transplanted with another same organ through organ transplantation yet the demand for transplant organ is far outweigh the supply. Many serious medical conditions such as cancer and organ failure associated with abnormal cell division and differentiation.¹ Scientists have been working around the clock studying and researching on stem cells that have the potential to reverse the adverse effect of abnormal cell division and differentiation to human health in what it appears to revolutionize medical sciences. Stem cells are biological cells found in multi cellular organisms that serve functions as internal repair system and may develop into many different cells in the body during early stage of life and growth.² Stem cells characterized by its ability to replicate itself continuously under numerous cycles of division and may adapt to certain physiologic or experiment conditions.³ Scientist around the world denotes stem cells unique properties into three namely for being unspecialized cell yet have the full force to give rise into specialized cell types under physiologic condition and capable to divide and renew themselves for long periods.⁴

¹ Edwards, R.G., ed. 2004. "History of Embryo Stem Cells", (Amsterdam, Elsevier); National Institutes of Health, "Stem Cell Basics: Introduction", available at <http://stemcells.nih.gov/info/basics/basics1> accessed on 29 May 2012.

² Ibid.

³ Ibid.

⁴ Ibid.