

**A STUDY ON ETHICS FOR MEDICAL PRACTITIONERS IN MALAYSIA**

BY

AZILA BINTI AMIRUDDIN (2005756432)

HAZWANI BINTI SENAFI (2005756551)

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

**Universiti Teknologi MARA**

**Faculty of Law**

April 2008

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

## ACKNOWLEDGEMENT

Firstly, we would like to record our most sincere gratitude to our supervisor, Adjunct Professor R. Rajeswaran for his help, advice, support and guidance in completing this project paper. Other than that, he has been willing to share his experience and knowledge which we considered them to be valuable for us. Thank you very much for your support, motivation and guidance. We consider it very useful not only for this project paper but also for our own knowledge. Special thanks to the individuals who do not hesitate to share their time, providing us with valuable information and cooperation while we were seeking for information relating to our research.

Our gratitude also goes to who agreed to be interviewed, informally and gave us the benefit of their knowledge, views and experience. Last but not least, our love, sincerity and the heartiest thanks goes to our parents and beloved families who never fail in giving their attention, support mentally and financial and help and along our way in completing this project paper. Thanks to everyone for all understanding and encouragement given to us when we really need it.

Again, we would like to express our gratitude towards all the parties directly and indirectly involve in assisting us in completing our research.

Thank you.

## ABSTRACT

Nowadays, the rapid advancement in medical, science and technology have turn out to be an important issue in relation to the medical profession. However, the consequences of this advancement create several ethical dilemmas faced by the medical practitioners such as in relation to the ethical question on organ transplant, abortion, euthanasia and so forth. Generally, these ethical questions are so much related to the issue of abusing human body thus resulting harmful effects toward the patients and patient relatives.

By conducting this research, we would like to analyse and evaluate the scope of law towards the ethical issues in medical field that arise out of the advancement in medical science and technology. In addition, we would like to determine the adequacy of the law provided in protecting the medical practitioners and the patients in Malaysia as to establish whether it is sufficient or otherwise. This research also includes several recommendations and suggestions in relation to the issues on this matter.

The scope of the research will seek to clarify the position of our local law on the area of ethical issue in relation to the abusing of the human body with a view to assist the Malaysian Legislature in the area of developing a law. The insertion of the new provisions in the Act, regarding the ethical dilemmas of medical practitioners is necessary to increase the public awareness and thus decrease the rate of medical negligence act cases.

**TABLE OF CONTENTS**

ACKNOWLEDGEMENT	ii
ABSTRACT	iii
TABLE OF CONTENTS	iv
LIST OF STATUTES	vii
<b>CHAPTER ONE: PROLOGUE</b>	
1.0 General Introduction	1
1.1 Objective of Study	3
1.3 Problem Statement	4
1.4 Research Methodology	5
1.5 Limitations	6
1.6 Significance of Study	7
1.7 Provisional Plan of Study	8
<b>CHAPTER TWO: LITERATURE REVIEW</b>	9
<b>CHAPTER THREE: THE ETHICAL ISSUES: ORGAN TRANSPLANT</b>	
3.0 Introduction	18
3.1 The Situation in Malaysia	19

3.1.1	Consent of Donor	21
3.2	The Law	24
3.3	Conclusion	26

#### **CHAPTER FOUR: ABORTION**

4.0	Introduction	27
4.1	Malaysia Position	28
4.1.1	Legal Abortion	30
4.1.2	Illegal Abortion	30
4.2	Law in Malaysia	31
4.2.1	Comparison with Other Country Position	33
4.3	Conclusion	34

#### **CHAPTER FIVE: EUTHANASIA**

5.0	Introduction	36
5.1	Physician's Perspective in Malaysia	39
5.2	Argument For and Against Voluntary Euthanasia	41
5.3	Scope of the Law	45
5.4	Conclusion	48