

# BIOETHICS CONSULTATIVE COMMITTEE

## Terms of Reference

1. The Bioethics Consultative Committee (hereinafter referred to as the Committee) is hereby being reconstituted with the following terms of reference:

*"To consider the ethical aspects and implications of all matters related to the practice of the medical and allied professions, and of bio-technological procedures that may be applied to human life in all its phases".*

2. In the exercise of its functions the Committee is:
  - i. To advise the Minister responsible for Health through recommendations drawn up in the light of our national culture, after taking due account of the ethical guidelines established by international organisations such as the Council of Europe, the European Parliament, the World Health Organisation, and the World Medical Association.
  - ii. To advise on ethical problems that may present themselves both in state and private hospitals, as well as in medical practice in general
  - iii. To promote, evaluate and monitor the application of sound ethical practices throughout the Health Care system.
  - iv. To advise the Minister on the introduction of legislation and regulations according to prevailing situations and needs.
  - v. To sustain and encourage open discussion on the various bioethical issues that exist or may present themselves.
3. In fulfilling its task the Committee will not be responsible for the assumption of any duties already assigned to the Medical Council of Malta or to those boards and committees as provided for by the Department of Health (Constitution) Ordinance (Chapter 94) of the Laws of Malta.

The Committee is to liaise with the Medical Council and other boards on matters of ethics affecting Health Care practice in general, whenever this is necessary and advantageous in the public interest.

4. The Committee may initiate consideration of issues pertaining to the beginning and end of human life which have a medical, social and ethical relevance, and is bound to consider any such specific issues as may be referred to it by the authorities, the public

as well as individuals. It will be the obligation of the Committee to bring to the notice of the Minister responsible for Health any report, advice or recommendation it may make after due consideration by it. The Committee should be free to consult with, or co-opt temperately, local or foreign experts, on particular aspects under its consideration.

5. The Committee shall consider the promotion of Hospital Ethics Committees to deal with particular urgent medical situations that present ethical problems. Such Committees are to report to the Committee on every situation that demands any decisions and subsequent action. Among its general functions, the Committee should be responsible for the setting up of Specific Research Ethics Committees whose responsibility it [will] be to examine research protocols that may fall within the field of its terms of reference. For this purpose the Committee shall consult and liaise with the appropriate body of the University of Malta.
6. Appointed members are selected from among persons of professional standing and who, directly or indirectly, demonstrate a potential of an effective contribution towards the aims and duties of the Committee. Despite the medical and scientific bias of the composition of the Committee, legal and religious and lay communities are also represented.
7. Members are appointed for a term of two years and may be re-appointed for more than one subsequent term. Members may resign at any time provided a month's notice is given to the Minister responsible for Health.
8. The Committee shall meet regularly and will regulate its own procedure following general accepted rules. The Committee will be directly responsible and answerable to the Minister responsible for Health.
9. The Committee shall prepare an annual budget containing estimated of funds as ma be necessary for, among others:
  - a. the maintenance and updating of the Committee's documentation centre;
  - b. to meet expenses incurred in the publication of material produced by the Committee or by individuals who wish to publish relative contributions with the approval of the Committee;
  - c. to provide financial help to researchers in bioethics, and to support approved professionals in their participation at important meetings / conferences overseas; and
  - d. to provide financial support for invited personalities from whom instructions and advice may be sought.

The Committee's proposals for the Budget are to be submitted to the Minister responsible for Health for his consideration and approval by not later than the last day of July of each year.

10. An Annual Report of the Committee's activities covering the period ending the 31<sup>st</sup> December of each year is to be presented to the Minister by the end of the following January.

11. The Committee shall discuss with the University of Malta and other relevant institutions its opinions on course organisation and teaching of Bioethics to the various professions of groups. The Committee shall also encourage public debate on selected bioethical issues to attract the attention and participation of the lay public. Such involvement by the public will assist and influence the Committee's deliberations and ultimate recommendations.

---