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Brain death as a condition of admissibility of *ex mortuo* transplant

SUMMARY

The article discusses the issues of the ontogenetic (brain) death as the condition for the admissibility of *ex mortuo* transplant. In the first place, the basic issues have been discussed related to the concept of transplantation; an attempt has been made to collect and describe specific types of transplant occurring in medical literature. Further, the theme of death and its types in the context of transplantation have been elaborated on. The author highlighted a difference – present in the doctrine – of identifying clinical and apparent death, as well as presented an artificial division – visible in the literature – of death because of the organ, i.e. brain, lungs and heart. The main point is the issue of the brain (ontogenetic) death. The social, medical and legal concerns with respect to this premise have been indicated. There is also a description of the methodology of work with determination of brain death. The author has also paid attention to the change in the definitions on the basis of the existing transplant law. The question of death being the result of the irreversible cardiac arrest has been also raised. The summary collects the issues thoroughly discussed in the work and mentions other premises for the admissibility of *ex mortuo* transplant.

KEYWORDS: transplantation, death, transplant *ex mortuo*