
Changes to legislation: Human Tissue Act 2004, SCHEDULE 6 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 6

Section 56

CONSEQUENTIAL AMENDMENTS

Wills Act 1837 (c. 26)

- 1 In section 1 of the Wills Act 1837, in the definition of “will”, after “child,” there is inserted “ and also to an appointment by will of a representative under section 4 of the Human Tissue Act 2004, ”.

Commencement Information

- I1** Sch. 6 para. 1 in force at 20.10.2005 for specified purposes by S.I. 2005/2792, art. 2(2)(j)
I2 Sch. 6 para. 1 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, art. 3(2) (with arts. 4, 7, 8)

Anatomy Act 1984 (c. 14)

- 2 In section 4 of the Anatomy Act 1984 (lawful examinations), in subsection (4) (which is expressed to be subject to subsections (5) to (8)), for “(5)” there is substituted “(6)”.

Commencement Information

- I3** Sch. 6 para. 2 in force at 20.10.2005 for specified purposes by S.I. 2005/2792, art. 2(2)(j)
I4 Sch. 6 para. 2 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, art. 3(2) (with arts. 4, 7, 8)

Coroners Act 1988 (c. 13)

- 3 (1) The Coroners Act 1988 is amended as follows.
- (2) In section 19 (post-mortem examination without inquest), after subsection (1) (which confers power to direct a person to make a post-mortem examination) there is inserted—
- “(1A) No direction under subsection (1) above shall have effect to require a person to make a post-mortem examination if the making of the examination by him would contravene section 16(1) of the Human Tissue Act 2004 (under which a person may make a post-mortem examination only under the authority of a licence under that Act).”
- (3) In section 21 (which confers powers to direct a person to make a post-mortem examination in connection with an inquest), after subsection (4) there is inserted—

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“(4A) No direction under this section shall have effect to require a person to make a post-mortem examination if the making of the examination by him would contravene section 16(1) of the Human Tissue Act 2004 (under which a person may make a post-mortem examination only under the authority of a licence under that Act).”

Commencement Information

- I5** Sch. 6 para. 3 in force at 20.10.2005 for specified purposes by S.I. 2005/2792, art. 2(2)(j)
I6 Sch. 6 para. 3 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, art. 3(2) (with arts. 4, 7, 8)

Human Organ Transplants Act 1989 (c. 31)

- 4 In section 1(1)(a) of the Human Organ Transplants Act 1989, for “Great Britain” there is substituted “Scotland”.

Commencement Information

- I7** Sch. 6 para. 4 in force at 20.10.2005 by S.I. 2005/2792, art. 2(2)(h)

Criminal Justice and Police Act 2001 (c. 16)

- 5 (1) Part 2 of the Criminal Justice and Police Act 2001 (powers of seizure) is amended as follows.
- (2) In section 57 (retention of seized items), in subsection (1) (provisions in relation to which the section has effect), at the end there is inserted—
“(q) paragraph 5(4) of Schedule 5 to the Human Tissue Act 2004.”
- (3) In section 66 (interpretation of Part 2), in subsection (4) (references to a search to include references to activities authorised by virtue of specified powers), at the end there is inserted—
“(n) paragraph 2 of Schedule 5 to the Human Tissue Act 2004 (entry and inspection of licensed premises).”
- (4) In Schedule 1 (powers of seizure), in Part 1 (powers to which section 50 of the Act applies), after paragraph 73D there is inserted—

“Human Tissue Act 2004 (c. 00)

- 73E Each of the powers of seizure conferred by the provisions of paragraph 5(1) (seizure of material relevant to licensing functions) and (2) (seizure of evidence of offences) of Schedule 5 to the Human Tissue Act 2004.”

Commencement Information

- I8** Sch. 6 para. 5 in force at 20.10.2005 for specified purposes by S.I. 2005/2792, art. 2(2)(j)
I9 Sch. 6 para. 5 in force at 1.3.2006 for specified purposes by S.I. 2006/404, art. 2(3)(4), Sch. (with arts. 4-6)
I10 Sch. 6 para. 5 in force at 7.4.2006 for specified purposes by S.I. 2006/404, art. 3(3), Sch. (with arts. 4-6)

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- I11** Sch. 6 para. 5 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, art. 3(2) (with arts. 4, 7, 8)

Enterprise Act 2002 (c. 40)

- 6 (1) Paragraph 3(1)(b), (2) and (3) of Schedule 2 shall be taken to be within the definition of “provision” in section 268 of the Enterprise Act 2002 (c. 40) (power to remove bankruptcy disqualifications under pre-8th November 2002 provisions or extend them to, or replace them with disqualifications of, persons subject to bankruptcy restrictions regimes).
- (2) In its application by virtue of sub-paragraph (1), section 268 of the Enterprise Act 2002 (c. 40) shall have effect with the following modifications—
- (a) subsections (5)(d), (6) to (8) and (15) (power to make application of disqualification provision subject to person’s discretion) are omitted, and
 - (b) for subsection (13) (order under section to be made by statutory instrument after parliamentary approval of a draft) there is substituted—
- “(13) An order under this section—
- (a) must be made by statutory instrument, and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

Commencement Information

- I12** Sch. 6 para. 6 in force at 1.4.2005 by S.I. 2005/919, art. 3, Sch. (with art. 2)

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

- 7 ^[F1] In section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking people for exploitation), in subsection (4)(b), for “the Human Organ Transplants (Northern Ireland) Order 1989 (S.I. 1989 / 2408 (N.I. 21))” there is substituted “ under section 32 or 33 of the Human Tissue Act 2004 ” .]

Textual Amendments

- F1** Sch. 6 para. 7 repealed (N.I.) (26.4.2013) by Criminal Justice Act (Northern Ireland) 2013 (c. 7), s. 15(1), Sch. 4 Pt. 2

Commencement Information

- I13** Sch. 6 para. 7 in force at 20.10.2005 by S.I. 2005/2792, art. 2(2)(i) (with art. 3(1)(a))

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Changes and effects yet to be applied to :

- Sch. 6 para. 3 repealed by [2009 c. 25 Sch. 23 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 29(7) inserted by [2013 anaw 5 s. 15\(4\)\(e\)](#)
- s. 43(5A) inserted by [2009 c. 25 Sch. 21 para. 50](#)