



Anatomy Act 1984

1984 CHAPTER 14

Possession after examination

5 Control of possession after examination

- (1) This section applies where—
 - (a) authority under section 4 to use a body for anatomical examination has expired, or
 - (b) the anatomical examination of a body has been concluded before the expiry of such authority.
- (2) Subject to subsections (3) and (4), no person shall have the body or part of the body in his possession.
- (3) Subsection (2) does not apply where a person has possession of the body or part for the purpose only of its decent disposal.
- (4) Subsection (2) does not apply where—
 - (a) a person has possession of part of a body whose anatomical examination has been concluded before the expiry of authority under section 4,
 - (b) the part is such that the person from whose body it came cannot be recognised simply by examination of the part,
 - (c) the person with possession is authorised to have possession under subsection (5), and
 - (d) possession of the part is lawful by virtue of section 6.
- (5) If the Secretary of State thinks it desirable to do so in the interests of education or research, he may grant a licence to a person to have possession of parts of bodies, and a person is authorised under this subsection to have possession of a part of a body if—
 - (a) at the time he has possession he is licensed to do so under this subsection, or
 - (b) he has, from a person who is so licensed at that time, permission (general or particular) to have such possession.
- (6) A person to whom a licence has been granted under subsection (5) shall—

Status: This is the original version (as it was originally enacted).

- (a) compile such records in relation to parts of bodies as may be specified by regulations made by the Secretary of State, and
 - (b) retain for such period as may be so specified any records compiled in accordance with paragraph (a).
- (7) The power to make regulations under subsection (6) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

6 Lawful possession

- (1) Subsection (2) applies if a person, in expressing a request as mentioned in section 4(1), has given permission for possession of parts (or any specified parts) of his body to be held after its anatomical examination is concluded.
- (2) If the person lawfully in possession of the body after death has no reason to believe that the permission was withdrawn, he may, in giving authority under section 4(2), give authority for possession to be held in accordance with the permission.
- (3) Without prejudice to subsection (2), the person lawfully in possession of a body may, in giving authority under section 4(3), give authority for possession of parts (or any specified parts) of the body to be held after its anatomical examination is concluded if, having made such reasonable inquiry as may be practicable, he has no reason to believe—
- (a) that the deceased, either in writing at any time or orally in the presence of two or more witnesses during his last illness, had expressed an objection to such possession being held, and had not withdrawn it, or
 - (b) that the surviving spouse or any surviving relative of the deceased objects to such possession being held.
- (4) It is lawful by virtue of this section to have possession of part of a body if possession is held in accordance with an authority given in pursuance of this section.