



# Human Tissue (Scotland) Act 2006

## 2006 asp 4

### PART 2

#### POST-MORTEM EXAMINATIONS

#### **28 Removal during examination and retention of organs and other parts of a body**

- (1) Subject to section 26 and subsection (2), any part of the body of a deceased person mentioned in subsection (5) may, by virtue of the authorisation for the post-mortem examination of the body, be—
- (a) removed from the body during the post-mortem examination for the purposes of the examination;
  - (b) retained and used thereafter for any of those purposes.
- (2) An organ may be—
- (a) removed, for the purposes of audit, education, training or research, from the body of a deceased person during a post-mortem examination of the body only if the removal for the purpose in question;
  - (b) retained and used thereafter for any of those purposes only if the retention for the purpose in question,
- is authorised in accordance with section 29, 30, 31, 32 or, as the case may be, 33.
- (3) Any part of the body of a deceased person (other than an organ) which is removed from the body during the post-mortem examination by virtue of the authorisation referred to in subsection (1) forms part of the medical records of the deceased person.
- (4) Where an organ is removed from the body of a deceased person during the post-mortem examination of the body (whether by virtue of the authorisation referred to in subsection (1) or (2)), samples—
- (a) may, by virtue of the authorisation, be taken from the organ; and
  - (b) if taken, form part of the medical records of the deceased person.
- (5) The parts of the body referred to in subsection (1) are—
- (a) an organ;
  - (b) tissue sample;
  - (c) blood, or any material derived from blood;

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*Changes to legislation: There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 28. (See end of Document for details)*

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(d) other body fluid.

(6) A part of the body of a deceased person which is not mentioned in subsection (5) may not be removed from the body during a post-mortem examination of the body.

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**Commencement Information**

**II** S. 28 in force at 1.9.2006 by S.S.I. 2006/251, art. 3

**Changes to legislation:**

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 28.