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;

(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.

Commencement Information

I1 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.