

1992 No. 321 (C. 15)

ANATOMY

**The Anatomy (1992 Order) (Commencement) Order
(Northern Ireland) 1992**

Made *20th July 1992*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) and (3) of the Anatomy (Northern Ireland) Order 1992(a) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(b) and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and interpretation

1.—(1) This order may be cited as the Anatomy (1992 Order) (Commencement) Order (Northern Ireland) 1992.

(2) In this order—

“the 1832 Act” means the Anatomy Act 1832(c);

“the Order” means the Anatomy (Northern Ireland) Order 1992.

Commencement of provisions

2.—(1) Subject to paragraph (2), the day appointed for the coming into operation of the provisions of the Order shall be 4th November 1992.

(2) The day appointed for the coming into operation of Articles 1, 2, 5(5), 7(6), 10 and 13(4) and (7) of the Order shall be 16th September 1992.

Transitional provisions

3.—(1) Where, immediately before 4th November 1992, there is in force a licence to practise anatomy granted to a person under section 1 of the 1832 Act he shall be deemed to have been granted a licence under Article 5(2) of the Order to carry out anatomical examinations and have possession of anatomical specimens for a period commencing with that date and expiring on the date on which he attains the age of 70 years or the date on which his tenure of appointment to the post he occupied on 4th November 1992 ceases, whichever of those dates first occurs.

(2) Where notice was given to the Department before 4th November 1992 under section 12 of the 1832 Act of a place where it was intended to practise

(a) S.I. 1992/1718 (N.I. 11)

(b) 1974 c. 28

(c) 1832 c. 75, as amended by 1871 c. 16

anatomy an application shall be made for a licence under Article 5(1) of the Order for the use of those premises for carrying out anatomical examinations before the expiration of the period of 1 year commencing with 4th November 1992 and the premises shall be deemed to be licensed under Article 5(1) of the Order for carrying out anatomical examinations until—

(a) the date on which a licence under Article 5(1) of the Order is granted or refused, as the case may be; or

(b) 3rd November 1993,

whichever of those dates first occurs.

(3) A person who is deemed by virtue of paragraph (1) to have been granted a licence under Article 5(2) of the Order who has in his possession parts of bodies in the circumstances specified in paragraph (4)(a), (b) and (c) of Article 7 of the Order shall before the end of the period of 6 months commencing on 4th November 1992 make application for a licence under Article 7(5) of the Order and shall be deemed to have been granted such a licence until either—

(a) the date on which a licence under Article 7(5) of the Order is granted or refused, as the case may be; or

(b) if no application is made before the end of the period of 6 months mentioned above, on the expiry of that period.

(4) Any direction or permission under the 1832 Act to permit or cause the body of a deceased person to undergo anatomical examination shall be deemed for the purposes of the Order to be an authority given in pursuance of the Order.

Sealed with the Official Seal of the Department of Health and Social Services on 20th July 1992.

(L.S.)

J. Scott

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation on 4th November 1992 of all provisions of the Anatomy (Northern Ireland) Order 1992 except for those provisions necessary for the making of regulations relating to the examination, disposal, and care of bodies and record-keeping, which shall come into operation on 16th September 1992.

The order also contains transitional provisions which—

- (a) provide for a person licensed under the Anatomy Act 1832 (which is repealed by the Anatomy (Northern Ireland) Order 1992) to practise anatomy to be treated as licensed under the 1992 Order until he attains the age of 70 or ceases to occupy the post he holds on 4th November 1992;
- (b) provide for premises used for carrying out anatomical examinations notice of which was given under the 1832 Act to be treated as licensed under the 1992 Order for 1 year or until an application for a licence under the 1992 Order has been dealt with;
- (c) provide for a person licensed under the 1832 Act to practise anatomy to be treated as licensed under the 1992 Order to possess parts of bodies for a period of 6 months or until his application for a licence under the 1992 Order is dealt with;
- (d) provide for a direction or permission given under the 1832 Act to be treated as an authorisation under the 1992 Order for the use of a body for anatomical examination.