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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 340**

**The Human Tissue (Scotland) Act 2006 (Anatomy Act 1984 Transitional Provisions) Order 2006**

**Existing requests**

2.—(1) Where, before 1st September 2006, a person has expressed a request in accordance with section 4(1) of the Act (request that a person’s body be used for anatomical examination)(1)–

- (a) section 4(2) of the Act (authorisation of use of a body in accordance with a request) shall apply on and after that date, whether or not the request has been made in accordance with section 4(1A) to (1D) of the Act (requirements as to requests)(2); and
- (b) the request shall be treated as a request that the persons body be used after their death for anatomical examination within the meaning of section 1(1) of the Act (definition of anatomical examination) as substituted by section 53(2)(a) of the 2006 Act.

(2) Where, before 1st September 2006, a person in expressing a request in accordance with section 4(1) of the Act has given permission under section 6(1) of the Act (permission for parts of a person’s body to be held after anatomical examination concluded)(3), section 6(2) of the Act (authorisation of possession of parts in accordance with permission) shall apply on and after that date, whether or not the request has been made in accordance with section 4(1A) to (1D) of the Act.

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(1) Section 4(1) is amended by section 53(5)(a) of the [Human Tissue \(Scotland\) Act 2006 \(asp 4\)](#) (“the 2006 Act”) with effect from 1st September 2006.

(2) Section 4(1A) to (1D) is inserted by the 2006 Act, section 53(5)(b) with effect from 1st September 2006.

(3) Section 6(1) is amended by the 2006 Act, section 53(8)(a) with effect from 1st September 2006.