

1988 No. 81 (C.2)

ANATOMY

The Anatomy Act 1984 (Commencement) Order 1988

Made - - - - *21st January 1988*

The Secretary of State for Social Services, in exercise of the powers conferred by section 13(3) and (5) of the Anatomy Act 1984(a), and of all other powers enabling him in that behalf, hereby makes the following Order:-

Citation and interpretation

1.—(1) This Order may be cited as the Anatomy Act 1984 (Commencement) Order 1988.

(2) In this Order -

“the Act” means the Anatomy Act 1984;

“the 1832 Act” means the Anatomy Act 1832(b).

Day specified for the coming into force of the Act.

2. The Act shall come into force on 14th February 1988.

Transitional provisions

3.—(1) Where, immediately before 14th February 1988, there is in force a licence to practice anatomy granted to a person under section 1 of the 1832 Act he shall be deemed to have been granted a licence under section 3(2) of the Act to carry out anatomical examinations and to 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 14th February 1988 ceases, whichever of those dates first occurs.

(2) Where notice was given to the Secretary of State before 14th February 1988 under section 12 of the 1832 Act of a place where it was intended to practise anatomy an application shall be made for a licence under section 3(1) of the Act for the use of those premises for carrying out anatomical examinations before the expiration of the period of 1 year commencing with 14th February 1988 and the premises shall be deemed to be licensed under section 3(1) of the Act for carrying out anatomical examinations until-

(a) the date on which a licence under section 3(1) of the Act is granted or refused, as the case may be; or

(b) 13th February 1991,

whichever of those dates first occurs.

(3) A person who is deemed by virtue of paragraph (1) above to have been granted a licence under section 3(2) of the Act who has in his possession parts of bodies in the circumstances specified in paragraphs (a), (b) and (c) of section 5(4) of the Act shall before the end of the period of 6 months commencing on 14th February 1988 make application for a licence under section 5(5) of the Act and shall be deemed to have been granted such a licence until either –

- (a) the date on which a licence under section 5(5) 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 given 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 Act to be an authority given in pursuance of the Act.

Signed by Authority of the Secretary of State for Social Services.

Tony Newton

21st January 1988

Minister of State, Department of Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings the Anatomy Act 1984 into force on 14th February 1988 and contains transitional provisions which –

- (a) provide for a person licensed under the Anatomy Act 1832 (which is repealed by the Anatomy Act 1984) to practise anatomy to be treated as licensed under the 1984 Act until he attains 70 or ceases to occupy the post he holds on 14th February 1988;
- (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 1984 Act for 1 year or until an application for a licence under the 1984 Act has been dealt with;
- (c) provide for a person licensed under the 1832 Act to practise anatomy to be treated as licensed under the 1984 Act to possess parts of bodies for a period of 6 months or until his application for a licence under the 1984 Act is dealt with;
- (d) provide for a direction or permission given under the 1832 Act to be treated as an authorisation under the 1984 Act for the use of a body for anatomical examination.

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