

# **CORONAVIRUS (SCOTLAND) ACT 2020**

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## **EXPLANATORY NOTES**

### **DETAIL ABOUT PROVISIONS**

#### *Schedule 7 - Other measures in response to coronavirus*

##### **Anatomy Act 1984**

278. Paragraphs 20 to 22 of schedule 7 modify the Anatomy Act 1984 (“the 1984 Act”) to extend the periods for which a body or part of a body can be retained for the purpose of anatomical examination and enables such bodies or parts of bodies to be retained after examinations have been concluded. The 1984 Act is modified for the duration of this legislation to provide (a) that the statutory period in section 4B (lawful examinations: further provision) and the 3 year limit in section 5 (control of possession after examination) of the 1984 Act be extended until paragraph 20 ceases to have effect and (b) by dis-applying section 5(1)(b) of the 1984 Act to make it lawful to retain possession of a body or part of a body after the anatomical examination has concluded. The purpose of the modifications is to extend the 3 year time limit to ensure that during the period of the coronavirus pandemic, licence holders for example in university anatomy departments are not committing an offence by retaining a body beyond the statutory 3 years.
279. Paragraph 21 modifies section 4B (lawful examinations: further provision) of the 1984 Act by inserting a new subsection (3A) providing that should the statutory period expire during the period in which paragraph 21 of schedule 7 of the Act has effect the period will instead expire on the day that paragraph ceases to have effect.
280. Paragraph 22 modifies section 5 (control of possession after examination) of the 1984 Act by omitting subsection (1)(b) to remove the restriction on retaining bodies or parts of bodies after anatomical examinations have concluded and inserting a new subsection (1A) to provide that should the period referred to in section 5(1)(c)(iii) (length of time an imported body can be retained) elapse during the period when the Act has effect the period is to be treated as elapsing instead on the day on which paragraph 22 of schedule 7 ceases to have effect.