Anatomy Act 1984

1984 CHAPTER 14

[F1 Control of public display

[F1 6A Control of public display

(1) Subject to subsections (2) to (8), no person shall publicly display—

(a) an anatomical specimen,

(b) a body or part of a body which has been used for anatomical examination, or

(c) a body or part of a body which has been used outwith Scotland for anatomical examination or examination which has the characteristics of anatomical examination,

whether or not it has undergone a process to preserve it.

(2) Subsections (3)(c), (5)(e), (7)(d) and (8)(d) do not apply to such persons as the Scottish Ministers may by order specify; being persons responsible for the operation or control of such museums as they may so specify.

(3) Where—

(a) a person is authorised under section 5(5) to have possession of a part of a body,

(b) possession of the part is lawful by virtue of section 6, and

(c) the display is authorised under subsection (9),

subsection (1) does not apply as respects the public display of the part if the condition in subsection (4) is met.

(4) The condition is that where the lawful possession of the part by virtue of section 6 is—

(a) in pursuance of a request under section 4(1), that request also includes permission for public display (and there is no reason to believe that permission was withdrawn), or

(b) in pursuance of an authority under section 4A(1), that authorisation also includes authority for public display.

(5) Where—

(a) a person is authorised under section 3(4) to have possession of an anatomical specimen,

Changes to legislation: *Anatomy Act 1984, Section 6A is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) the anatomical specimen is in the course of being used for anatomical examination in pursuance of an authority under section 4(2) or 4A(1),

(c) the body or a part of the body is such that the deceased cannot be recognised simply by examination of the body or, as the case may be, the part,

(d) the statutory period referred to in section 4B(2) has not expired, and

(e) the display is authorised under subsection (9),

subsection (1) does not apply as respects the public display of the body or, as the case may be, the part of the body, if the condition in subsection (6) is met.

(6) The condition is that where the anatomical examination is—

(a) in pursuance of a request under section 4(1), that request also includes permission for public display (and there is no reason to believe that permission was withdrawn), or

(b) in pursuance of an authority under section 4A(1), that authorisation also includes authority for public display.

(7) Where—

(a) a person is authorised under section 5(5) to have possession of a part of a body,

(b) the part is a part of a body which has been used outwith Scotland for anatomical examination or examination which has the characteristics of anatomical examination,

(c) the part was removed from the body during the course of that examination, and

(d) the display is authorised under subsection (9),

subsection (1) does not apply as respects the public display of the part.

(8) Where—

(a) a person is authorised under section 5(5) to have possession of a body,

(b) the body has been used outwith Scotland for anatomical examination or examination which has the characteristics of anatomical examination,

(c) the body was not imported for use for anatomical examination in Scotland; and is not so used at any time, and

(d) the display is authorised under subsection (9),

subsection (1) does not apply as respects the public display of the body.

(9) If the Scottish Ministers think it desirable to do so in the interests of education, training or research, they may grant a licence to a person to publicly display the body or, as the case may be, the part, and a person is authorised under this subsection to so display a body or a part of a body if, at the time of the display he is licensed under this subsection.

(10) No person, whether the holder of a licence granted under subsection (9) or not, may publicly display a body or a part of a body while—

(a) any procedure in relation to an anatomical examination, or

(b) any similar procedure,

is being carried out.

(11) In subsection (10)(a) the reference to "procedure" includes dissection, removal and implantation.

(12) A person to whom a licence has been granted under subsection (9) shall—

(a) compile such records as may be specified by regulations made by the Scottish Ministers, and

(b) retain for such period as may be so specified any records compiled in accordance with paragraph (a).

(13) For the purposes of this section, public display, in relation to the body or part of the body of a deceased person (including an anatomical specimen) does not include—

(a) display of the body or part for the purposes of enabling people to pay their final respects to the deceased or which is incidental to the deceased's funeral,

(b) use of the body or part for the purpose of public display at a place of public religious worship, or at a place associated with such a place, if there is a connection between the body or, as the case may be, the part and the religious worship which takes place at the place in question.

(14) The power to make an order under subsection (2) or regulations under subsection (12)(a) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament.**]**

Textual Amendments

F1 S. 6A and cross-heading inserted (S.) (12.5.2006 for specified purposes, 1.9.2006 in so far as not already in force) by Human Tissue (Scotland) Act 2006 (asp 4), **ss. 53(9)**, 62(2); S.S.I. 2006/251, arts. 2, 3, sch.

Modifications etc. (not altering text)

C1 S. 6A(4)(a) modified (S.) (1.9.2006) by The Human Tissue (Scotland) Act 2006 (Anatomy Act 1984 Transitional Provisions) Order 2006 (S.S.I. 2006/340), arts. 1(1), **4(1)**

C2 S. 6A(6)(a) modified (S.) (1.9.2006) by The Human Tissue (Scotland) Act 2006 (Anatomy Act 1984 Transitional Provisions) Order 2006 (S.S.I. 2006/340), arts. 1(1), **4(3)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 11(7A) inserted by 2003 c. 44 Sch. 27 para. 5(3)