

*These notes refer to the Human Tissue Act 2004 (c.30)  
which received Royal Assent on 15 November 2004*

# HUMAN TISSUE ACT 2004

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 - Removal, Storage and Use of Human Organs and Other Tissue for Scheduled Purposes**

##### *Section 10: Existing Anatomical Specimens*

27. This section provides for what should be done, once the consent provisions of the Act take effect, about bodies and parts of bodies already donated for dissection under the Anatomy Act 1984, but where the anatomical examination of them has not been concluded. The Anatomy Act provides that bodies might be kept for up to three years with the donor's or his next of kin's authority and body parts might be kept for longer. This section provides that the terms of the authority given under the Anatomy Act 1984 are to be treated as 'appropriate consent' to anatomical examination. In addition, if the existing authority allowed parts of the body to be held after conclusion of the examination and the examination was not in fact concluded before the consent provisions in the Act came into force, the authority is to be treated as "appropriate consent" to storage for the purposes of education and research.
28. *Subsection (6)* is intended to ensure that, where authority under the Anatomy Act has been given on terms, the authority under the Act which is based on that authority is also subject to those terms.