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## EXPLANATORY NOTE

*This note is not part of the Regulations*

These Regulations revoke and replace the Anatomy Regulations 1988 (“the 1988 Regulations”) with changes of substance, following amendments made to the Anatomy Act 1984 (“the Act”) by the Human Tissue (Scotland) Act 2006. These Regulations come into force on 1st September 2006.

These Regulations make provision as to the compilation and retention of records by persons to whom a licence has been granted under the Act, and in relation to the examination, disposal, care and display of bodies and parts of bodies under the Act.

Regulation 2—

- (a) specifies that the provisions of regulations 3 and 4 of these Regulations (which deal with the compilation and retention of records in relation to bodies and parts of bodies) do not apply in relation to a body or a part of a body which was authorised for use for anatomical examination before 1st September 2006;
- (b) sets out that the provisions of regulations 6 to 9 of these Regulations do not apply in relation to the body of a person who died before 1st September 2006.

Regulation 3, and Schedule 1 to these Regulations, specify the records that must be compiled by—

- (a) a person to whom a licence to have possession of anatomical specimens has been granted, in relation to bodies which are to be used for, or are in the course of being used for anatomical examination; and
- (b) a person to whom a licence has been granted in the interests of education, training and research to have possession of bodies and parts of bodies, in relation to bodies which may be possessed under the authority of such a licence.

Regulation 3 also specifies the period for which such records must be retained.

Regulation 4, and Schedule 2 to these Regulations, specify the records that must be compiled by—

- (a) a person to whom a licence to have possession of anatomical specimens has been granted, in relation to parts separated from a body in the course of being used for anatomical examination;
- (b) a person to whom a licence has been granted in the interests of education, training and research to have possession of bodies and parts of bodies, in relation to parts of bodies which may be possessed under the authority of such a licence.

Regulation 4 also specifies the period for which such records must be retained.

Regulation 5 specifies the records that must be compiled by a person to whom a licence has been granted to publicly display a body or part of a body and who is not also licensed under the Act to have possession of anatomical specimens or to have possession of bodies and parts of bodies in the interests of education, training and research, and specifies the period for which such records must be retained.

Regulation 6 makes provision for the examination and disposal of bodies of persons, the anatomical examination of which is lawful by virtue of section 4 or 4A of the Act.

Regulation 7 makes provision for the care of bodies or parts of bodies of persons, the possession of which is authorised under section 5(5) of the Act.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 8 makes provision for the care and display of bodies and parts of bodies of persons, the display of which is authorised under section 6A(9) of the Act.

Regulation 9 provides that a person who without reasonable excuse contravenes the provisions of regulation 5, 6 or 7 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Regulation 10 revokes the 1988 Regulations and the Anatomy (Amendment) Regulations 1988 but makes provision so that—

- (a) regulations 2 and 3 of the 1988 Regulations, which specify the records to be compiled and the period of retention of records in relation to a body and parts of body, shall continue to have effect where the body was authorised for use for anatomical examination before 1st September 2006;
- (b) regulations 4 and 5 of the 1988 Regulations, which make provision for the examination and disposal of bodies and the care of parts of bodies, shall continue to have effect in relation to bodies and parts of bodies of persons who died before 1st September 2006.