



# Human Tissue Act 2004

## 2004 CHAPTER 30

### PART 2

#### REGULATION OF ACTIVITIES INVOLVING HUMAN TISSUE

##### *Anatomy*

### **31 Possession of former anatomical specimens away from licensed premises**

- (1) Subject to subsections (2) to (5), a person commits an offence if—
  - (a) he has possession of a former anatomical specimen, and
  - (b) the specimen is not on premises in respect of which a storage licence is in force.
- (2) Subsection (1) does not apply where—
  - (a) the specimen has come from premises in respect of which a storage licence is in force, and
  - (b) the person—
    - (i) is authorised in writing by the designated individual to have possession of the specimen, and
    - (ii) has possession of the specimen only for a purpose for which he is so authorised to have possession of it.
- (3) Subsection (1) does not apply where the person has possession of the specimen only for the purpose of transporting it to premises—
  - (a) in respect of which a storage licence is in force, or
  - (b) where the specimen is to be used for the purpose of education, training or research.
- (4) Subsection (1) does not apply where the person has possession of the specimen—
  - (a) only for the purpose of its decent disposal, or
  - (b) for purposes of functions of, or under the authority of, a coroner.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Subsection (1) does not apply where the person reasonably believes—
- (a) that what he has possession of is not a former anatomical specimen,
  - (b) that the specimen is on premises in respect of which a storage licence is in force, or
  - (c) that any of subsections (2) to (4) applies.
- (6) A person guilty of an offence under subsection (1) shall be liable—
- (a) on summary conviction to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment—
    - (i) to imprisonment for a term not exceeding 3 years, or
    - (ii) to a fine, or
    - (iii) to both.
- (7) In this section, “storage licence” means a licence authorising the storage, for use for a scheduled purpose, of relevant material which has come from a human body.