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STATUTORY INSTRUMENTS

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**2006 No. 1997**

**The Human Tissue Act 2004 (Commencement  
No. 5 and Transitional Provisions) Order 2006**

**Transitional arrangements: existing anatomical specimens Northern Ireland**

**6.—(1)** This article applies where a person dies during the three years immediately preceding the coming into force of section 1.

(2) Paragraph (3) applies where—

- (a) before section 1 comes into force, authority is given under article 6(2) or (3) of the Anatomy (Northern Ireland) Order 1992 (“the Northern Ireland Order”) for the person’s body to be used for anatomical examination, and
- (b) section 1 comes into force before the anatomical examination of the person’s body is concluded.

(3) During so much of the relevant period as falls after section 1 comes into force, that authority shall be treated for the purposes of section 1 as appropriate consent in relation to—

- (a) the storage of the person’s body, or separated parts of his body, for use for the purpose of anatomical examination, and
- (b) the use of his body, or separated parts of his body, for that purpose.

(4) Paragraph (5) applies where—

- (a) before section 1 comes into force, authority is given under article 6(2) or (3) of the Northern Ireland Order for possession of parts (or any specified parts) of the person’s body to be held after anatomical examination of his body is concluded, and
- (b) anatomical examination of the person’s body is concluded—
  - (i) after section 1 comes into force, but
  - (ii) before the end of the period of three years beginning with the date of the person’s death.

(5) With effect from the conclusion of the anatomical examination of the person’s body, that authority shall be treated for the purposes of section 1 as appropriate consent in relation to—

- (a) the storage for use for a qualifying purpose of a part of the person’s body which—
  - (i) is a part to which that authority relates, and
  - (ii) is such that the person cannot be recognised simply by examination of the part, and
- (b) the use for a qualifying purpose of such a part of the person’s body.

(6) Where for the purposes of section 1 there would not be appropriate consent in relation to the activity but for authority given under the Northern Ireland Order being treated for those purposes as appropriate consent in relation to the activity in question, paragraphs (1) and (3) of section 1 do not authorise the doing of the activity otherwise than in accordance with that authority.

(7) In this article “qualifying purpose” means a purpose specified in paragraph 6 or 9 of Schedule 1 to the Act (research in connection with disorder or the functioning of the human body, education or training relating to human health).