

THE ANATOMY ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Establishment of schools of anatomy.
4. Licences to practise anatomy.
5. Appointment of Inspectors of schools of anatomy.
6. Inspectors to make returns.
7. Inspectors to inspect schools.
8. Persons having lawful custody of bodies may permit anatomical examination.
9. Persons directing anatomical examinations after their death.
10. Removal of bodies for anatomical examination, and provision for burial.
11. Anatomical examination to be carried on only at authorized places.
12. Persons practising anatomy to do so in orderly and decent manner.
13. Act not to prohibit post mortem examination.
14. *Post mortem* examinations.
15. Offences.
16. Regulations.
- 16A. Penalties in regulations.
17. Power of governors, teachers, etc., of schools to make rules.
18. Minister may amend monetary penalties.

THE ANATOMY ACT

[29th September, 1949.]

Cap. 11.
Acts
42 of 1969
3rd Sch.,
12 of 1972
S. 5,
7 of 2011
Sch.

Short title.

Interpreta-
tion.

1. This Act may be cited as the Anatomy Act.

2. In this Act—

“anatomy” means human anatomy;

“body” means a dead human body;

“teacher of medicine” means and includes any person who is employed or engaged as a professor or teacher of anatomy, pathology, medicine, surgery or obstetrics in any school of anatomy established under this Act.

3. The Minister may from time to time authorize the establishment of schools of anatomy where the study and practice of anatomy may be carried out.

Establish-
ment of
schools of
anatomy.

4.—(1) The Minister may grant a licence to practise anatomy to any person who is appointed to a school of anatomy established under this Act as a teacher of medicine in such school, or to any student attending any such school, on application from any such person for such purpose, countersigned by two Justices residing at or nearest the place where such person resides, certifying to their knowledge or belief that the person so applying is about to carry on the practice of anatomy.

Licences to
practise
anatomy.

(2) No person shall receive or have in his possession for anatomical examination, or for examination anatomically, any body, unless he is the holder of a licence under subsection (1).

(3) Every such licence shall state the school at which it shall be lawful for the licensee to practise anatomy.

Appointment
of Inspectors
of schools of
anatomy.
42/1969
3rd Sch.

5.—(1) The Minister may from time to time appoint one or more Inspectors for every such school, and direct in what manner any such Inspector shall transact the duties of his office.

(2) Every such Inspector shall continue in office for one year, or until he is removed by the Minister, or until some other person is appointed in his place.

(3) As often as any such Inspector dies or is removed from office, or neglects or refuses or becomes unable to act, the Minister may appoint another person to be Inspector in his stead.

Inspectors
to make
returns.

6. Every Inspector of a school of anatomy shall make a quarterly return to the Minister of every body which during the preceding quarter has been removed for anatomical examination to such school, or which may have been removed to any other place under the provisions of section 11, distinguishing the sex and, as far as is known at the time, the name and age of each person whose body was so removed as aforesaid.

Inspectors
to inspect
schools.

7. The Inspector may visit and inspect at any time the school of anatomy for which he is appointed Inspector.

Persons
having
lawful
custody of
bodies may
permit
anatomical
examination.

8.—(1) Any person having lawful possession of a body and not being an undertaker or other person entrusted with the body for the purpose only of interment, may permit the body to undergo anatomical examination, unless to the knowledge of such first-mentioned person the deceased has expressed his desire, either in writing at any time during his life or verbally in the presence of two or more witnesses during the illness whereof he died, that his body after death should not undergo such examination, or unless the surviving husband or wife, or any child of the deceased requires the body to be interred without such examination.

(2) Without prejudice to the generality of the foregoing provision it is hereby declared that for the purposes of this Act the following persons shall be persons having the lawful possession of bodies as herein mentioned, that is to say—

- (a) the Senior Medical Officer of any hospital (including Public Psychiatric Hospital) and the Superintendent of any prison, in respect of the body of any person who dies in such hospital or prison;
- (b) the keeper of any alms-house or other public establishment wherein destitute persons are housed, in respect of the body of any person who dies therein.

9. If any person, either in writing at any time during his life or verbally in the presence of two or more witnesses during the illness whereof he died, directs that his body after death be examined anatomically, or nominates any person by this Act licensed to practise anatomy to make such examination, and if before the burial of the body such direction or nomination is made known to the person having lawful possession thereof, then such last-mentioned person shall direct such examination to be made, and in case of any such nomination as aforesaid shall request the person nominated to make such examination, unless the surviving husband or wife of the deceased, or his nearest known relative, or any one or more of such relatives being of kin in the same degree, require the body to be interred without such examination.

Persons directing anatomical examinations after their death.

10.—(1) Every body which is removed for anatomical examination under this Act shall before such removal be placed in a decent coffin or shell and shall be removed therein.

Removal of bodies for anatomical examination, and provision for burial.

(2) In no case shall any body be examined anatomically until after one week from the time of death, nor until

after twenty-four hours' notice has been given to an Inspector of a school of anatomy of the intention so to examine the body, so, however, that nothing in this subsection shall be construed to prevent or delay the embalming of any body with a view to its subsequent anatomical examination.

(3) All human remains resulting from the anatomical examination of any body shall be buried or cremated in accordance with the written instructions of an Inspector of a school of anatomy.

(4) A register shall be maintained in every school of anatomy, by or under the supervision of the senior teacher thereof, wherein is recorded the date of reception, the place from which received, the sex, and, as far as is known at the time, the name and age of every person whose body has undergone anatomical examination, and the date of burial or cremation of such body.

(5) In the month of November in each year the senior teacher of a school of anatomy at which he holds his appointment shall cause to be sent to the Inspector or Inspectors of such school a return specifying the date when and the place from which received, the sex, and, as far as is known at the time the name and age of every person whose body has undergone anatomical examination during the year, and the date of burial or cremation of such body.

Anatomical examination to be carried on only at authorized places.

11.—(1) No person shall—

- (a) carry on or teach anatomy by means of the dissection of, or demonstration upon, any body;
- (b) receive or possess any body for anatomical examination; or
- (c) examine anatomically any body,

at any place except a school of anatomy established for that purpose under section 3.

(2) Nothing in this section shall prevent any person, being the holder of a licence under section 4, who obtains the permission in writing of an Inspector for that purpose, and also the permission of the governors, teachers, or other proper authorities of the school at which he is licensed to practise anatomy, from removing any body or portion of a body to such place as the Inspector deems fit for the purpose of teaching or studying anatomy, upon such terms and conditions as the Inspector and authorities of such school, in their uncontrolled discretion, think fit.

12. All persons who carry on and practise anatomy shall do so in such a way as to avoid unnecessary mutilation of any body that they may be examining anatomically, and shall conduct such examination in an orderly, quiet, and decent manner; and it shall be lawful, in addition to the penalties hereinafter provided, to deprive any person of his licence who offends against the provisions of this section or any of the provisions of this Act.

Persons practising anatomy to do so in orderly and decent manner.

13. Nothing in this Act shall be construed to extend to or to prohibit any *post mortem* examination of any body required or directed to be made by any competent legal authority.

Act not to prohibit *post mortem* examination.

14.—(1) Without prejudice to section 13, the foregoing provisions of this Act shall not be construed as applying to any *post mortem* examination carried out for the purpose of establishing or confirming the cause of death or of investigating the existence or nature of abnormal conditions.

Post mortem examinations.

(2) No *post mortem* examination shall be carried out otherwise than by or in accordance with the instructions of a registered medical practitioner, and no *post mortem* examination which is not directed or requested by the Coroner or any other competent legal authority shall be

carried out without the authority of the person lawfully in possession of the body.

(3) The person lawfully in possession of the body may authorize the carrying out of a *post mortem* examination if, having made such reasonable enquiry as may be practicable, he has no reason to believe—

- (a) that the deceased had expressed an objection to the carrying out of a *post mortem* examination of his body, and had not withdrawn it; or
- (b) that the surviving spouse or the nearest other surviving relative of the deceased objects to the carrying out of such *post mortem* examination.

(4) Where a person has reason to believe that an inquest may be required to be held on any body or that a *post mortem* examination of any body may be required by the Coroner, he shall not, except with the consent of the Coroner—

- (a) give an authority under this section for a *post mortem* examination; or
- (b) act on such authority given by any other person.

(5) No authority shall be given under this section for a *post mortem* examination of any body by a person entrusted with the body for the purpose only of its interment or cremation or custody prior thereto.

(6) In the case of a body lying in a hospital, nursing home or other institution, any authority under this section for a *post mortem* examination may be given on behalf of the person having the control and management thereof by any officer or person designated for that purpose by the first-mentioned.

(7) In this section “relative” includes—

- (a) a relative by marriage;

(b) in relation to an illegitimate child, the parents of the child.

15. Every person who contravenes the provisions of this Act shall be guilty of an offence and on summary conviction before a Resident Magistrate be liable to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding six months.

Offences.
7/2011
Sch.

16. The Minister may make regulations for carrying into execution the objects of this Act either generally or in relation to any particular case.

Regulations.

16A. Notwithstanding section 29(b) of the *Interpretation Act*, regulations made under section 16 may provide in respect of a breach of any of the provisions thereof for the imposition of penalties on summary conviction in a Resident Magistrate's Court of a fine not exceeding one million dollars or imprisonment for a term not exceeding twelve months or both such fine and imprisonment.

Penalties in regulations.
7/2011
Sch.

17.—(1) The governing authorities of any authorized school of anatomy may from time to time, with the approval of the Minister, make rules enabling the study and practice of anatomy to be properly carried out, and may impose a fine not exceeding one hundred thousand dollars for the breach thereof.

Power of governors, teachers, etc., of schools to make rules.
7/2011
Sch.

(2) All such rules shall fix a date on which the same shall come into force, and upon the date so fixed and after their publication in the *Gazette*, such rules shall be in force in the school to which the same relate.

18. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act.

Minister may amend monetary penalties.
7/2011
Sch.