



Jersey

ANATOMY AND HUMAN TISSUE (JERSEY) LAW 1984¹

Official Consolidated Version

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ANATOMY AND HUMAN TISSUE (JERSEY) LAW 1984

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A **LAW** to make provision with respect to the use of bodies of deceased persons for dissection for the purpose of teaching anatomy; and with respect to the use of parts of bodies of deceased persons for therapeutic purposes and purposes of medical education and research; and for connected purposes

Commencement [[see endnotes](#)]

1 Interpretation

In this Law –

“Medical Officer of Health” means the Inspecteur Médical appointed under Article 10 of the [Loi \(1934\) sur la Santé Publique](#); and

“registered medical practitioner” means a person registered as a medical practitioner in pursuance of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#).

2 Removal and use of bodies for teaching anatomy

- (1) If any person, either in writing at any time or orally in the presence of 2 or more witnesses during the person’s last illness, has expressed a request that his or her body be used after death for dissection for the purpose of teaching anatomy, the person lawfully in possession of the body after the person’s death may authorize the use of the body in accordance with the request unless –
 - (a) the person has reason to believe that the request was subsequently withdrawn; or
 - (b) the deceased person’s surviving spouse, surviving civil partner or nearest known relative, or any one or more of such person’s nearest known relatives, being kin in the same degree requires the body to be interred or cremated without such use.²
- (2) Without prejudice to paragraph (1), the person lawfully in possession of the body of a deceased person may authorize the use of the body for dissection for the purpose of teaching anatomy unless –

- (a) to the knowledge of the person lawfully in possession of the body, the deceased, either in writing at any time or orally in the presence of 2 or more witnesses during his or her last illness, had expressed the desire that his or her body after death might not undergo such use; or
 - (b) the surviving spouse, surviving civil partner or any surviving relative of the deceased requires the body to be interred or cremated without such use.³
- (3) Subject to paragraph (4) and Article 4(1) and (2), the removal and use of a body in accordance with an authority given in pursuance of this Article shall be lawful.
- (4) No such removal shall be effected –
 - (a) until 48 hours from the time of the person's decease;
 - (b) without a certificate of cause of death;
 - (c) without notice to the Medical Officer of Health;
 - (d) except under the supervision of a registered medical practitioner, who must be satisfied by personal examination of the body that life is extinct;
 - (e) except in a decent coffin or shell,and the person removing the body, or causing it to be removed, shall –
 - (i) make provision that such body be decently interred in consecrated ground or in some public burial ground in use for persons of that religious persuasion to which the person whose body was so removed belonged, or be cremated; and
 - (ii) transmit a certificate of interment or cremation of such body to the Medical Officer of Health within 2 years from the date of removal of the body.

3 Removal of parts of bodies for medical purposes

- (1) If any person, either in writing at any time or orally in the presence of 2 or more witnesses during his or her last illness, has expressed a request that the person's body or any specified part of his or her body be used after death for therapeutic purposes or for purposes of medical education or research, the person lawfully in possession of the body after the person's death may, unless the person has reason to believe that the request was subsequently withdrawn, authorize the removal from the body of any part or, as the case may be, the specified part, for use in accordance with the request.
- (2) Without prejudice to paragraph (1) of this Article, the person lawfully in possession of the body of a deceased person may authorize the removal of any part from the body for use for the said purposes if, having made such reasonable enquiry as may be practicable, the person has no reason to believe –
 - (a) that the deceased had expressed an objection to his or her body being so dealt with after death, and had not withdrawn it; or
 - (b) that the surviving spouse, surviving civil partner or any surviving relative of the deceased objects to the body being so dealt with.⁴
- (3) Subject to paragraph (4) and Article 4(1) and (2), the removal and use of any part of a body in accordance with an authority given in pursuance of this Article shall be lawful.

- (4) No such removal shall be effected except by –
 - (a) a registered medical practitioner; or
 - (b) a person qualified for registration as a registered medical practitioner, who must be satisfied by personal examination of the body that life is extinct.⁵
- (5) In doing anything permitted by paragraph (4) of this Article, a person described in sub-paragraph (b) of that paragraph does not thereby contravene Article 2 of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#).⁶

4 Miscellaneous provisions

- (1) 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 at the instance of the Viscount, that person shall not, except with the consent of the Viscount –
 - (a) give an authority under this Law in respect of the body; or
 - (b) act on such an authority given by any other person.⁷
- (2) No authority shall be given under this Law in respect of any body by a person entrusted with the body for the purpose only of its interment or cremation.
- (3) In the case of a body lying in a hospital, nursing home, or other institution, any authority under this Law may be given on behalf of the person having the control and management thereof by any person designated for that purpose by the first-mentioned person.
- (4) Nothing in this Law shall be construed as rendering unlawful any dealing with, or with any part of, the body of the deceased person which is lawful apart from this Law.
- (5) A person who contravenes a provision of this Law shall be guilty of an offence and shall be liable to a fine.

5 Citation

This Law may be cited as the Anatomy and Human Tissue (Jersey) Law 1984.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|--|---------------------------|--|
| Anatomy and Human Tissue (Jersey) Law 1984 | L.12/1984 | 12 April 1985 (R&O.7382) |
| Anatomy and Human Tissue (Amendment) (Jersey) Law 1995 | L.36/1995 | 1 February 1996 (R&O.8904) |
| Civil Partnership (Jersey) Law 2012 | L.4/2012 | 2 April 2012 |

Table of Renumbered Provisions

| Original | Current |
|--------------------|----------|
| the second 2(4)(a) | 2(4)(i) |
| the second 2(4)(b) | 2(4)(ii) |

Table of Endnote References

¹ *This Law was repealed by the Human Transplantation and Anatomy (Jersey) Law 2018 on 1 July 2019*

² *Article 2(1) amended by L.4/2012*

³ *Article 2(2) amended by L.4/2012*

⁴ *Article 3(2) amended by L.4/2012*

⁵ *Article 3(4) substituted by L.36/1995*

⁶ *Article 3(5) inserted by L.36/1995*

⁷ *Article 4(1) amended by L.36/1995*