

## **ANATOMY ACT, 1965 (ACT 280)**

### ARRANGEMENT OF SECTIONS

#### Section

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REPUBLIC OF GHANA

**THE TWO HUNDRED AND EIGHTIETH  
ACT  
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA  
ENTITLED  
THE ANATOMY ACT, 1965 (ACT 280)**

**AN ACT** to regulate the examination and dissection of the bodies of deceased individuals and to provide for matters connected therewith or incidental thereto.

**DATE OF ASSENT:** 9th April, 1965.

**BE IT ENACTED** by the President and the National Assembly in this present Parliament assembled as follows:—

Section 1—Licence for Examination, Etc., of Bodies of Deceased Individuals.

(1) The Minister may grant a licence authorising the carrying out, in accordance with the provisions of this Act, of the matters specified in subsection (2), to the persons referred to in that subsection.

(2) The licence referred to in subsection (1) of this section shall authorise—

- (a) the Head of any medical school or institution,
- (b) any teacher and medical practitioner employed in such a school or institution, and
- (c) any student working under the supervision of any person referred to in paragraph (a) or (b) of this subsection,

to carry out all, or any of the following matters:—

- (i) to receive in that school or institution the body of a deceased individual;
- (ii) to keep or possess therein that body;
- (iii) to examine therein that body;

(iv) to dissect therein that body; and

(v) to carry out any other matter specified in the licence which the Minister is of opinion is in the interests of medical science.

(3) No person other than a licensee, shall carry out any of the matters referred to in subsection (2) of this section.

#### Section 2—Persons having Lawful Custody of Bodies of Deceased Individuals to Permit Examination, Etc., of such Bodies.

The executor or any other person having lawful possession of the body of a deceased individual, and not being an undertaker or other person entrusted with that body for the purpose only of interment, may permit any licensee to carry out in relation to that body any matter referred to in subsection (2) of section 1, unless to the knowledge of that executor or person, the deceased individual has expressed a contrary desire, in writing at any time during his life or by word of mouth in the presence of at least two witnesses during the illness whereof he died, or unless the surviving husband or wife, or in the absence of such husband or wife, any known relative of the deceased individual falling within such class of relatives of that individual as may be prescribed, is opposed to such matter being carried out.

#### Section 3—Individuals Directing Examination, Etc., of their Bodies after Death.

If any individual either in writing at any time during his life, or by word of mouth, in the presence of at least two witnesses during the illness whereof he died, directs that any licensee shall carry out in relation to his body after death any matter specified in subsection (2) of section 1 and if before the burial or cremation of his body the direction is made known to the executor or any other person having lawful possession of the body, then that executor or person shall permit that licensee to carry out that matter unless the surviving husband or wife or in the absence of such husband or wife, any known relative of the deceased individual falling within such class of relatives of that individual as may be prescribed, is opposed to that matter being carried out.

#### Section 4—Executor Prohibited from Permitting Examination, Etc., of Bodies in certain Circumstances.

No executor or other person having lawful possession of the body of a deceased individual shall permit any person to carry out in relation to that body any matter referred to in subsection (2) of section 1, if that individual during his life has expressed a contrary desire in the manner set out in section 2 or if the surviving wife or husband or known relative, as the case may be, is opposed to that matter being carried out.

#### Section 5—Unclaimed Bodies of Deceased Individuals for Examination, Etc.

The medical Head of any hospital may donate the body of any deceased individual dying of known causes to the Head of any medical school or institution for carrying out by him or any other licensee in relation to that body any matter referred to in subsection (2) of section 1, if the Head of the hospital is satisfied that that body has not been claimed by the surviving wife or husband, or in the absence of such wife or husband, by any known relative of that individual falling within such class of relatives of that individual as may be prescribed, for a period which in his opinion has been unreasonably long.

Section 6—Bodies of Deceased Individuals not to be removed for Twenty-Four Hours, Etc.

No licensee shall remove the body of a deceased individual for the purpose of carrying out in relation to that body any matter referred to in subsection (2) of section 1—

- (a) unless at least twenty-four hours have elapsed since the death of that individual; and
- (b) unless—
  - (i) a certificate stating the cause of death has been signed by the medical practitioner who attended him during his last illness; and
  - (ii) if there is no such practitioner, a certificate stating the cause of death to the best of his knowledge has been signed by a medical practitioner who has been summoned to view the body after the death.

Section 7—Requirements to be Complied with by Licensee for Removal of Body, Etc.

(1) No licensee shall remove a body of a deceased individual for carrying out any matter specified in subsection (2) of section 1 unless that body is placed in a decent coffin or shell and is removed therein.

(2) Every licensee shall—

- (a) make provision that after he has finished with the body of the deceased individual, the body shall be decently interred in a public cemetery; and
- (b) transmit a certificate of the interment of that body issued by the competent authority to the Minister or to any person appointed by him.

Section 8—Requirements to be Complied with by Licensee for Receipt of Body.

(1) No licensee shall receive any body of a deceased individual for the purpose of carrying out in relation to that body any matter referred to in subsection (2) of section 1 unless—

- (a) he receives with that body the certificate of cause of death referred to in section 6; and
- (b) within twenty-four hours of the receipt of that body, he enters or cause to be entered in a book maintained for the purpose—
  - (i) the day and hour when the body was received;
  - (ii) the name and address of the person from whom the body was received;
  - (iii) the date and place of death;
  - (iv) the sex of the deceased individual;
  - (v) the name and age of such individual, if known;
  - (vi) the last address of such individual, if known; and
  - (vii) such other particulars as may be prescribed.
- (2) The Head of any medical school or institution shall produce the book referred to in subsection (1) of this section, whenever required so to do by the Minister.

Section 9—Head of Medical School or Institution to Cause to be Retained in certain Circumstances the Whole or Part of a Body.

(1) The Head of a medical school or institution may cause to be retained the whole or a part of the body of a deceased individual if—

(a) he is satisfied that the retention thereof is in the interests of medical science; and

(b) the competent authorities have consented to the retention.

(2) For the purposes of subsection (1) of this section, "competent authorities" means the executor or other party having lawful possession of the body of the deceased individual and the surviving wife or husband of that individual and, in the absence of such wife or husband, any known relative of the deceased individual falling within such class of relatives of that individual as may be prescribed.

Section 10—Saving.

Nothing in this Act shall be deemed to prohibit any post-mortem examination of any human body required or directed to be made by any competent legal authority.

Section 11—Offences.

(1) Any person who contravenes any provision of this Act other than subsection (3) of section 1 shall be guilty of an offence and shall, on summary conviction be liable to a fine not exceeding fifty pounds or to a term of imprisonment not exceeding three months or to both such fine and imprisonment.

(2) Any person who contravenes subsection (3) of section 1 shall be guilty of an offence and shall, on summary conviction be liable to a fine not exceeding five hundred pounds or to a term of imprisonment not exceeding two years or to both such fine and imprisonment.

Section 12—Regulations.

The Minister may make regulations for prescribing anything authorised by this Act to be prescribed by regulations and for providing for the form of any licence or certificate issued under this Act and for any other matter that appears to him to be necessary for carrying into effect the provisions of this Act.

Section 13—Interpretation.

In this Act, unless the context otherwise requires—

"licensee" means any person to whom a licence has been granted under section 1 and referred to in subsection (2) of that section;

"medical practitioner" means a medical practitioner registered under the Medical and Dental Act, 1959 (No. 36);

"medical school or institution" means a medical school or other medical institution recognized by the Minister for the purposes of this Act; and

"Minister" means the Minister responsible for Health.

"prescribed" means prescribed by regulations made under section 12.