

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL and having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
17th August, 1875.*

(Hon. Dr. Pollen.)

Anatomy.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Governor in Council to authorize establishment of Schools of Anatomy. 4. Governor in Council to grant licenses to practise anatomy. 5. Governor in Council to appoint Inspectors of Schools of Anatomy. 6. Inspectors to make returns of subjects received for anatomical examination. 7. And to inspect places where anatomy is practised. 8. Allowance to Inspector. 9. Persons having lawful custody of bodies may permit them to undergo anatomical examination in certain cases. 10. Provision in case of persons directing anatomical examinations after their death. | <ol style="list-style-type: none"> 11. The body not to be removed from the place where such person may have died without a certificate. Professors, surgeons, and others may receive bodies for anatomical examination. 12. Anatomical examination to be carried on only at places licensed. Or where licensed by Inspectors. 13. Persons practising anatomy to do so in orderly and decent manner. 14. How bodies are to be removed for examination. Provision for interment. 15. Act not to prohibit post-mortem examination. 16. Limitation of actions. 17. Offences. 18. Governor in Council may make regulations and orders. 19. Governors teachers &c. of schools may, with approval of Governor in Council, make rules and regulations. |
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A BILL INTITULED

AN ACT to authorize the establishment of Schools of Anatomy, and for regulating the Practice of Anatomy thereat.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

- 5 1. The Short Title of this Act shall be "The Anatomy Act, 1875." Short Title.
2. In the construction of this Act— Interpretation.

The word "body" shall mean "dead human body."

"Legally qualified Medical Practitioner" shall mean any person duly registered under "The Medical Practitioners Registration Act, 1869," or who may hereafter be registered thereunder.

"Teacher of Medicine" shall mean and include any legally qualified medical practitioner for the time being registered under the provisions of "The Medical Practitioners Registration Act, 1869," and any person employed or engaged as a professor of medicine or surgery in any College University or School of Anatomy established under this Act.

Governor in Council
to authorize estab-
lishment of Schools
of Anatomy.

3. It shall be lawful for the Governor in Council to authorize the establishment of Schools of Anatomy where the study and practice of anatomy may be carried on in connection with any University or School of Medicine, in such place or places and upon such conditions as the Governor in Council shall think fit, and at any time to revoke such authority. 5

Governor in Council
to grant licenses to
practise anatomy.

4. It shall be lawful for the Governor in Council to grant a license to practise anatomy to any legally qualified medical practitioner, or to any person who shall be engaged at a School of Anatomy established under this Act as a teacher of medicine in such school, on application from any such person for such purpose, countersigned by two Justices of the Peace acting for the district or place at or nearest which such person resides, certifying to their knowledge or belief that such person so applying is about to carry on the practice of anatomy; and every person on obtaining such license as aforesaid shall pay the sum of five pounds five shillings to the Treasurer or Secretary of the School of Anatomy where he intends to practise for its support and maintenance; and no person shall receive or have in his possession for anatomical examination, or for examining anatomically, any body, except he shall have obtained such license aforesaid, and every such license shall state the school at which it shall be lawful for the licensee to practise anatomy. 10 15 20

Governor in Council
to appoint Inspec-
tors of Schools of
Anatomy.

5. It shall be lawful for the Governor in Council, so soon after any School of Anatomy shall be established as may be necessary, to appoint one or more Inspectors for every such school, and to direct in what manner such Inspector or Inspectors shall transact the duties of his or their office; and every such Inspector shall continue in office for one year or until he be removed by the Governor in Council, or until some other person shall be appointed in his place; and as often as any Inspector appointed as aforesaid shall die or shall be removed from his said office, or shall refuse or become unable to act, it shall be lawful for the Governor in Council to appoint another person to be Inspector in his room. 25 30

Inspectors to make
returns of subjects
received for anatomi-
cal examination.

6. Every Inspector to be appointed by virtue of this Act shall make a quarterly return to the Colonial Secretary of all bodies that during the preceding quarter have been removed for anatomical examination to every such School of Anatomy as aforesaid, or that may have been removed to any other place under the provisions of the *twelfth* section of this Act, 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. 35 40

And to inspect
places where ana-
tomy is practised.

7. It shall be lawful for every such Inspector to visit and inspect at any time the School of Anatomy for which he is appointed Inspector.

Allowance to Inspec-
tor.

8. Every such Inspector shall receive such an allowance by way of remuneration for his trouble as the Governor may think fit, such allowance to be charged on the Consolidated Revenue of the Colony. 45

Persons having
lawful custody of
bodies may permit
them to undergo
anatomical examina-
tion in certain cases.

9. It shall be lawful for any executor or other party having lawful possession of the body of any deceased person, and not being an undertaker or other party intrusted with the body for the purpose only of interment, to permit the body of such deceased person to undergo anatomical examination, unless, to the knowledge of such executor or other party, such person shall have 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 might not undergo such examination, or unless the surviving husband or wife, or any known relative of the deceased person, shall require the body to be interred without such examination. For the purposes of this Act the surgeon of any hospital, the keeper of any lunatic asylum, and the keeper of any gaol, shall respectively 50 55 60

be persons having the lawful possession of the body of any person who shall die in such hospital asylum or gaol respectively.

10. 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
5 whereof he died, shall direct that his body after death be examined anatomically, or shall nominate any party by this Act authorized to examine bodies anatomically to make such examination, and if, before the burial of the body of such person, such direction or nomination shall be made known to the party having lawful possession of the
10 dead body, then such last-mentioned party shall direct such examination to be made, and, in case of any such nomination as aforesaid, shall request and permit any party so authorized and nominated as aforesaid to make such examination, unless the deceased person's surviving husband or wife, or nearest known relative, or any one or
15 more of such person's nearest known relatives being of kin in the same degree, shall require the body to be interred without such examination.

Provision in case of persons directing anatomical examinations after their death.

11. Provided always, and be it enacted, that in no case shall the body of any person be removed for anatomical examination from any
20 place where such person may have died until after thirty-six hours from the time of such person's decease, nor until after twenty-four hours' notice, to be reckoned from the time of such decease, to the Inspector of the district, or if there be more than one Inspector to one of such Inspectors, of the intended removal of the body, or, if
25 no such Inspector have been appointed, to some legally qualified medical practitioner residing at or near the place of death, nor unless a certificate stating in what manner such person came by his death shall previously to the removal of the body have been signed by the legally qualified medical practitioner who attended such person during
30 the illness whereof he died; or if no such practitioner attended such person during such illness, then by some legally qualified medical practitioner who shall be called in after the death of such person to view the body, and who shall state the manner or cause of death according to the best of his knowledge and belief, but who shall not
35 be concerned in examining the body after removal; and that in case of such removal such certificate shall be delivered, together with the body, to the party receiving the same for anatomical examination.

The body not to be removed from the place where such person may have died without a certificate. Professors, surgeons, and others may receive bodies for anatomical examination.

12. It shall not be lawful for any party to carry on or teach anatomy at any place, or at any place to receive or possess for anatomical examination, or examine anatomically any body, except at
40 such place or places as are authorised for that purpose, as provided in the *third* section of this Act; but nothing in this section shall prevent any person properly licensed, who shall obtain the permission of one of the Inspectors in writing for that purpose, and also the permission
45 of the governors teachers or 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 to the Inspector shall seem fit for the purpose of teaching or studying anatomy, upon such terms and conditions as to the Inspector and authorities of such school shall seem fit in their
50 uncontrolled discretion.

Anatomical examination to be carried on only at places licensed. Or where licensed by Inspectors.

13. All persons who shall carry on and practise anatomy shall do so in such a way as to avoid unnecessary mutilation of any bodies that they may be examining anatomically, and shall conduct such examinations in an orderly quiet and decent manner; and it shall be lawful,
55 in addition to the penalties hereinafter provided, to deprive any person of his license who shall offend 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.

14. Every body when removed for the purpose of examination shall before such removal be placed in a decent coffin or shell, and be
60 removed therein, and the party removing the same or causing the

How bodies are to be removed for examination. Provision for interment.

same to be removed shall make provision that such body after undergoing anatomical examination 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 removed belonged, and a certificate of the interment of such body shall be transmitted to the Inspector of the district within eight weeks after the day on which such body was received after such removal. 5

Act not to prohibit post-mortem examination.

15. Nothing in this Act contained shall be construed or extend to prohibit any post-mortem examination of any body required or directed to be made by any competent legal authority. 10

Limitation of actions.

16. No action or suit shall be brought against any person for anything done in pursuance of this Act unless the same be commenced within *six* calendar months next after the act complained of shall have been committed.

Offences.

17. Any person offending against the provisions of this Act shall be guilty of a misdemeanour, and, being duly convicted thereof before a Resident Magistrate or two Justices of Peace, shall be punished by imprisonment for a term not exceeding *three* months or by a fine not exceeding fifty pounds, at the discretion of such Resident Magistrate or Justices of the Peace, as the case may be. 15 20

Governor in Council may make regulations and orders.

18. In all cases in which no provision or no sufficient provision is in the opinion of the Governor in Council made by this Act, it shall be lawful for the Governor in Council from time to time, for the purpose of facilitating or more effectually carrying into execution any of the objects thereof, to make and prescribe all such regulations and orders, either general or applicable to particular cases only, as the Governor in Council shall think fit, and such regulations and orders from time to time to revoke and alter as to the Governor in Council shall appear to be required; and all such regulations and orders shall be published in the *New Zealand Gazette*, and being so published shall have the force of law, and the breach of any of such regulations and orders shall be punishable by a penalty not exceeding five pounds. 25 30

Governors, teachers, &c. of schools may, with approval of Governor in Council, make rules and regulations.

19. It shall be lawful for the governing authorities of any authorized School of Anatomy, with the approval of the Governor in Council, to make rules for enabling the study and practice of anatomy to be properly carried out and discipline to be maintained at such school, and to impose a penalty not exceeding five pounds for the breach thereof. 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 *New Zealand Gazette*, such rules shall be in force in the school to which the same shall relate. 35 40