

# D Public display

## Guide for the general public to Code of Practice D



# A guide for the public to Code of Practice D: Public Display

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This guide is intended to be read alongside [Code of Practice D: Public Display](#).

## Commonly used terms

### Tissue and organs

#### Organs

Where we use the term organ, or organs, in this guidance, it refers specifically to a whole solid organ, or organs, including:

- Kidney
- Liver
- Heart
- Brain
- Eyes

The general definition of what constitutes an organ in this context is a body part which has a specific vital purpose.

#### Tissue

Where we use the term tissue, this refers to all other various human materials that are not whole solid organs.

#### Tissue and Organs

When we refer to “tissue and organs”, this is to make it clear there is a combination of both.

## The role of the HTA

[The Human Tissue Authority](#) (HTA) is responsible for regulating the public display of human material in England, Wales and Northern Ireland.

This includes the display of deceased persons, as well as body parts and tissues taken from both the deceased and the living.

We expect that the bodies of the deceased, as well as any body parts or tissues will:

- be treated with respect;
- be stored and used in an environment that is safe and secure; and
- have their dignity maintained at all times while in storage and on display

Our responsibilities come from the [Human Tissue Act 2004](#) (the Act). The Act sets out two main requirements for public display to be lawful - consent and a licence.

The following guidance sets out the consent requirements and the circumstances where a licence is needed.

## Relevant material

The Act refers to “[relevant material](#)”. Relevant material is material that is made of, or includes, human cells other than gametes (eggs and sperm). This includes bodies, body parts, tissues and anything which contains human cells.

For further information about relevant material, please refer to the public guide to the Human Tissue Act.

## Public display

We consider public display to be an exhibition or display where a body or relevant material from a body can be viewed by the public. This covers only the display of actual bodies or relevant material; we do not regulate the display of photographic or electronic images.

For example, a broadcast television programme is not a public display. However, if the programme was recorded in front of a studio audience, this would be public display.

If you would like further information about the use of images, we recommend you see the [General Medical Council's guidance](#).

### **The following circumstances are not considered public display:**

- where bodies can be viewed to allow people to pay their final respects to the deceased;
- where bodies can be viewed as part of, or related to, a funeral;
- where bodies can be viewed in a place of public religious worship for religious worship or contemplation; or
- where bodies or relevant material can be viewed by small groups of relevant professionals or students taking part in an educational programme or training. This would qualify as anatomic examination, which the HTA also regulates, as described in the public guide to Code of Practice C: Anatomic examination.

## Consent

Consent must be given for the removal, storage or use of material for public display. This applies whether it is material from a deceased or a living person.

It is an offence to remove, store or use material for public display without appropriate consent. Appropriate consent means informed consent from the person donating their body or tissues for the purpose of public display.

The consent requirements in the Act may not apply where:

- the body or relevant material was held by the establishment before the Act came into force on 1 September 2006; or
- where bodies or relevant material are imported into England, Wales and Northern Ireland.

## **Giving consent for public display**

For your body (or material taken from your body) to be displayed after death, you must give consent while you are alive.

To be valid, consent must be in writing and:

- signed by you in the presence of at least one witness; or
- included in your legally made Will.

If you wish to give consent but are unable to write, you may be able to direct someone to sign on your behalf. For more information, please refer to the Code of Practice.

You cannot give consent for the public display of another person's body.

This applies whether the body to be displayed is an adult or a child. For example, parents cannot donate their children's bodies for public display. Similarly, children or grandchildren cannot consent to the public display of their parents or grandparents.

## **Licences**

A licence is required for the storage and public display of bodies or relevant material from the deceased.

In addition to donated bodies, this includes:

- bodies or relevant material that was held by the establishment before the Act came into force on 1 September 2006; and
- bodies and relevant material that have been imported into England, Wales or Northern Ireland.

A licence is not required to display bodies or relevant material where 100 years has passed since the person died.

A licence is also not required for the public display of relevant material taken from the living.

If a person consents to the donation of relevant material during their lifetime, this can be displayed without a licence. If this person subsequently dies, their material can still be displayed without a licence.

## **Tissue for sale**

It is not illegal to sell material of human origin.

However, the material for sale can only be made available to view (i.e. for public display) on licensed premises.

## **Disposal**

As part of the consent process, you should be given information about how your tissues will be disposed of after use.

There is not one set method of disposal that all organisations must use. HTA-licensed establishments can make decisions about the most suitable method of disposal in each case.

You should be told about the options available.