1960

c 14 Anatomy Act

Ontario
CHAPTER 14

The Anatomy Act

1. In this Act, "school" means the Faculty of Medicine of the University of Toronto, of Queen's University, of the University of Western Ontario or of the University of Ottawa, or the Canadian Memorial Chiropractic College, and includes any other institution that the Lieutenant Governor in Council declares to be a school for the purposes of this Act. R.S.O. 1950, c. 16, s. 1, amended.

2. The Lieutenant Governor in Council may appoint a general inspector of anatomy for Ontario and local inspectors for such places as is deemed advisable, and may make regulations defining the duties of the general inspector and imposing duties on the local inspectors in addition to the duties imposed by this Act and otherwise for carrying out this Act, and may fix the fees to be received by the general inspector and local inspectors for services performed under this Act and under such regulations. R.S.O. 1950, c. 16, s. 2.

3.—(1) A body,

   (a) of a person that is found publicly exposed or sent to a morgue upon which a coroner after having viewed it deems an inquest necessary; or

   (b) of a person who immediately before death was supported in and by a public institution,

shall be placed immediately under the control of the local inspector of anatomy.

(2) Unless the body is claimed by,

   (a) a relative or bona fide friend; or

   (b) a county councillor, in the case of the body of a person who immediately before death was supported in and by a county home for the aged,

within twenty-four hours after being found or sent to a public morgue or within twenty-four hours after the death where
the death took place in a public institution, the body shall be delivered by the local inspector to a person qualified to receive unclaimed bodies under section 5.

(3) Where doubt exists as to the right of a person mentioned in clause a of subsection 2 to claim a body, he may apply to a magistrate, or, where no magistrate is available, to a justice of the peace having jurisdiction in the locality, for an order (Form 1) and the magistrate or justice of the peace, upon being satisfied that the applicant is a relative or bona fide friend, may make the order. R.S.O. 1950, c. 16, s. 3, amended.

4.—(1) It is the duty of the relative or friend to whom a body is delivered under section 3 to cause it to be decently interred or he may, upon payment to them of $5, require the authorities under whose care the body was to inter it.

(2) Where the body of a person who dies in a county home for the aged is delivered to a county councillor under section 3, it shall be decently interred and the county shall bear the expense of burial to the extent of $30. R.S.O. 1950, c. 16, s. 4.

5. The persons qualified to receive unclaimed bodies under this Act are, the teachers of anatomy or surgery in a school, and, if there is a school in the locality where there is a body to be delivered to persons so qualified, such school has the first claim to the body. R.S.O. 1950, c. 16, s. 5.

6.—(1) Any school obtaining a body shall keep and preserve it for not less than fourteen days, and in the event of a relative or bona fide friend claiming it within that time the school shall deliver the body to such relative or friend upon receipt of the reasonable costs and charges for preserving and keeping it, not to exceed $10.

(2) Every school shall keep such records as are prescribed by the regulations, and they shall at all times be open to inspection by the general inspector or by a local inspector. R.S.O. 1950, c. 16, s. 6.

7. Every local inspector of anatomy shall,

(a) keep a register showing the name, age, sex, birthplace and religious denomination of every person whose unclaimed body has been received by him, and the name of the school to which the body was delivered, with the date of delivery;
(b) keep a register of the schools qualified to receive and desirous of receiving bodies for the instruction of students;

(c) subject to section 5, distribute all bodies, in rotation, to such schools in proportion to the number of persons actually engaged in the study of human anatomy in each school, as shown by their official registers, which he shall be allowed to inspect;

(d) keep his registers open for the inspection of any registered medical practitioner who may desire to inspect them;

(e) enter in the morgue register, for the purpose of identification, a description of every body received by him, and of the clothing and effects found thereon, and the name of the school to which the body was delivered; and

(f) furnish to the general inspector the name of the deceased and of the school to which the body was delivered. R.S.O. 1950, c. 16, s. 7.

8. Every local inspector shall, without delay, give notice of his appointment to all persons mentioned in sections 9 to 12. R.S.O. 1950, c. 16, s. 8.

9. Every coroner, whether he does or does not hold an inquest on a body found publicly exposed, to which his attention has been called, and which is not claimed in accordance with section 3, shall give notice to the local inspector or, if there is none, he shall cause the body to be interred at the expense of the municipality in which it was found. R.S.O. 1950, c. 16, s. 9.

10. Where the body is placed in a public morgue, the person in charge thereof to the local inspector. R.S.O. 1950, c. 16, s. 10.

11. The head of a municipality in which a dead body to which this Act applies is found and of which he has notice thereof to be given within twenty-four hours to the local inspector. R.S.O. 1950, c. 16, s. 11.

12.—(1) The superintendent of every public institution to which this Act applies shall, upon the death of an inmate of the institution, give notice thereof within twenty-four hours to the local inspector.
(2) Every such superintendent shall keep a register showing the name, age, sex, birthplace and religious denomination of each person whose body is disposed of under this Act, and the school to which the body is delivered, and shall file all documents furnished by persons claiming bodies, and such register and documents shall be open for inspection.

(3) No superintendent shall deliver a body to a school except on the written order of the local inspector. R.S.O. 1950, c. 16, s. 12.

13. A school desiring to avail itself of the benefits of this Act shall give a bond to the general inspector in the sum of $80, with two sufficient sureties to his satisfaction in the sum of $40 each, for the decent interment of the bodies after they have served the purposes required, and thereupon the general inspector shall deliver to such school a written authority to open a practical anatomy room entitled to the benefits of this Act. R.S.O. 1950, c. 16, s. 13.

14. Every person who neglects to discharge the duties imposed upon him by this Act or any regulation made thereunder, or who contravenes any provision thereof, is guilty of an offence and on summary conviction is liable to a fine of not more than $20. R.S.O. 1950, c. 16, s. 14.

15. No person shall send or take a dead body out of Ontario for surgical or practical anatomical purposes, and every person who contravenes this section is guilty of an offence and on summary conviction is liable to a fine of $100. R.S.O. 1950, c. 16, s. 15.

16. No person shall accept for shipment or ship a dead body from any place within Ontario to any place outside Ontario unless a certificate of a duly qualified medical practitioner has been obtained certifying that the cause of death has been definitely ascertained and that there exists no other cause for inquiry or examination. R.S.O. 1950, c. 16, s. 16.

17. Subject to this Act, any unclaimed dead body found within the limits of a city, town, village or township shall be interred at the expense of the corporation thereof, but the corporation may recover such expense from the estate of the deceased or from any person whose duty it was to inter the dead body. R.S.O. 1950, c. 16, s. 17.
FORM 1

(Section 3 (3) )

The Anatomy Act

To whom it may concern:

Whereas A.B. of (here state the name, residence and occupation of the person by whom or on whose behalf the order is applied for) has satisfied me that he is a relative (or bona fide friend) of C.D., deceased, and is entitled to have his body delivered to him for the purpose of interment.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said A.B. for interment.

Witness my hand as Magistrate (or Justice of the Peace) of and for

..............................................................(as the case may be)

this..................day of....................., 19....

R.S.O. 1950, c. 16, Form 1.