SCOTTISH STATUTORY INSTRUMENTS

2019 No. 305 (C. 12)

HUMAN TISSUE

The Human Tissue (Authorisation) (Scotland) Act 2019 (Commencement No. 1) Regulations 2019

Made - - - -	*26th September 2019*
Laid before the Scottish Parliament	*27th September 2019*
Coming into force - -	*11th October 2019*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 29(2) and (3) of the Human Tissue (Authorisation) (Scotland) Act 2019(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Human Tissue (Authorisation) (Scotland) Act 2019 (Commencement No. 1) Regulations 2019 and come into force on 11 October 2019.

(2) In these Regulations "the 2006 Act" means the Human Tissue (Scotland) Act 2006(**b**).

Appointed day

2. 11 October 2019 is the day appointed for the coming into force of the following provisions of the Human Tissue (Authorisation) Scotland Act 2019—

(a) section 1 (overview of act),

(b) section 7 (deemed authorisation for transplantation as respects adult) but only so far as is necessary to enable the Scottish Ministers to—

(i) consult under section 6D(6) (excepted body part) of the 2006 Act, and

(ii) make regulations under section 6D(5) of the 2006 Act, and

(c) section 23 (pre-death procedures relating to transplantation) but only so far as is necessary to enable the Scottish Ministers to—

(i) consult under section 16B(4) (Type A procedures) of the 2006 Act,

(ii) make regulations under section 16B(1) of the 2006 Act,

(iii) consult under section 16C(4) (Type B procedures) of the 2006 Act, and

(**a**) 2019 asp 11.
(**b**) 2006 asp 4.

(iv) make regulations under 16C(1) of the 2006 Act.

JOE FITZPATRICK
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
26th September 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring section 1 of the Human Tissue (Authorisation) (Scotland) Act 2019 ("the 2019 Act") into force on 11 October 2019. They also partially commence sections 7 and 23 of the 2019 Act on that date.

Section 7 of the 2019 Act will insert a new section 6D (deemed authorisation for transplantation: adult) into the Human Tissue (Scotland) Act 2006 ("the 2006 Act"). These Regulations commence section 7 of the 2019 Act only for the limited purpose of enabling the Scottish Minister to consult and then make regulations under section 6D(5) of the 2006 Act which will specify what is an excepted body part. Authorisation of donation for transplantation by an adult for an excepted body part will not be deemed.

Section 23 of the 2019 Act will insert new sections 16A to 16G into the 2006 Act. These Regulations commence section 23 only for the limited purpose of enabling consultation and then regulations to be made specifying Type A procedures and Type B procedures.

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£4.90

S201909261005 10/2019 19585

http://www.legislation.gov.uk/id/ssi/2019/305

ISBN 978-0-11-104290-8

