STATUTORY INSTRUMENTS

2020 No. 520 (C. 23)

HUMAN TISSUE, ENGLAND AND WALES

HUMAN TISSUE, NORTHERN IRELAND

The Organ Donation (Deemed Consent) Act 2019 (Commencement No. 3) Regulations 2020

Made - - - - 19th May 2020

The Secretary of State makes these Regulations in exercise of the power conferred by section 3(3) of the Organ Donation (Deemed Consent) Act 2019(**a**).

Citation

1. These Regulations may be cited as the Organ Donation (Deemed Consent) Act 2019 (Commencement No. 3) Regulations 2020.

Provisions coming into force on 20th May 2020

2. 20th May 2020 is the appointed day for the coming into force of the following provisions of the Organ Donation (Deemed Consent) Act 2019 for all remaining purposes—

(a) section 1 ("appropriate consent" to adult transplantation activities: England); and

(b) section 2 (consequential amendments).

Signed by authority of the Secretary of State for Health and Social Care

Helen Whately
Minister of State,
19th May 2020 Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations commence provisions of the Organ Donation (Deemed Consent) Act 2019 (c.7) ("the 2019 Act") so far as they are not already in force. These are the third commencement regulations made under the 2019 Act. Section 3 came into force on the passing of the 2019 Act.

Regulation 2 brings into force sections 1 and 2 of the 2019 Act for all remaining purposes.

(**a**) 2019 c.7.

Section 1 of the 2019 Act amends section 3 ("appropriate consent": adults) of the Human Tissue Act 2004 (c.30) ("the 2004 Act") to set out when deemed consent amounts to appropriate consent for transplantation purposes. Section 1 of the 2019 Act also amends section 3 of the 2004 Act to provide a power for the Secretary of State to make regulations to specify organs, tissues and cells in relation to which deemed consent will not apply.

Section 2 of the 2019 Act makes consequential amendments to the 2004 Act, including amendments that allow for the storage and use, in Northern Ireland, of organs and tissues removed in England for the purposes of transplantation, even where there was deemed rather than express consent to the removal.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Organ Donation (Deemed Consent) Act 2019 were brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 1(1) (partially)	1st October 2019	S.I. 2019/1262
Section 1(5) (partially)	1st October 2019	S.I. 2019/1262
Section 2(1) (partially)	1st October 2019	S.I. 2019/1262
Section 2(1) (partially)	6th February 2020	S.I. 2020/86
Section 2(4)	6th February 2020	S.I. 2020/86
Section 2(5)	1st October 2019	S.I. 2019/1262
Section 2(6)	1st October 2019	S.I. 2019/1262
Section 2(7)	1st October 2019	S.I. 2019/1262

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