



# Human Transplantation (Wales) Act 2013

2013 anaw 5

## *Consent*

### **9 Activities involving material from adults who lack capacity to consent**

- (1) This section applies where—
  - (a) a transplantation activity within section 3(2)(c) or (d) (storage or use of relevant material which has come from a human body) done in Wales involves relevant material from the body of a person (“P”) who—
    - (i) is an adult, and
    - (ii) lacks capacity to consent to the activity, and
  - (b) no decision of P’s to consent, or not to consent, to the activity is in force.
- (2) P’s consent to the activity is to be deemed if the activity is done in circumstances of a kind specified by regulations made by the Welsh Ministers.