



Human Tissue (Scotland) Act 2006

2006 asp 4

PART 1 **S**

TRANSPLANTATION ETC.

Use of part of body of deceased person for transplantation, research etc.

15 Existing request by adult not acted on before commencement of sections 3 and 6 **S**

- (1) Where, immediately before the coming into force of sections 3 and 6—
- (a) there is in force a request by an adult that a part of the adult's body be used after the adult's death for transplantation either—
 - (i) in writing; or
 - (ii) [^{F1}given orally] (whether or not [^{F2}given] during the adult's last illness and whether or not [^{F2}given] in the presence of any witnesses); and
 - (b) the request has not been acted on,
- the request is to be treated for the purposes of this Part as if it were [^{F3}an express authorisation by the adult] (in writing or, as the case may be, [^{F1}given orally]).
- (2) In subsection (1), “writing” includes, in relation to the reference there to a request by an adult which is in force immediately before the coming into force of sections 3 and 6, representation of a character in visible form.

Textual Amendments

- F1** Words in s. 15(1) substituted (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019 \(asp 11\)](#), [ss. 28\(3\)\(c\)\(i\)](#), 29(2); [S.S.I. 2021/108](#), reg. 2
- F2** Words in s. 15(1) substituted (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019 \(asp 11\)](#), [ss. 28\(3\)\(c\)\(ii\)](#), 29(2); [S.S.I. 2021/108](#), reg. 2
- F3** Words in s. 15(1) substituted (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019 \(asp 11\)](#), [ss. 28\(3\)\(c\)\(iii\)](#), 29(2); [S.S.I. 2021/108](#), reg. 2

Commencement Information

- I1** S. 15 in force at 1.9.2006 by [S.S.I. 2006/251](#), [art. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 15.