



# Human Tissue (Scotland) Act 2006

## 2006 asp 4

### PART 2

#### POST-MORTEM EXAMINATIONS

#### **34 Nomination of person under section 30(1) or 32(1): additional provision**

- (1) Nomination by virtue of—
  - (a) section 30(1)—
    - (i) must be in writing signed by the adult;
    - (ii) may be withdrawn in writing signed by the adult, in the presence of one witness (who is not so nominated);
  - (b) section 32(1)—
    - (i) must be in writing signed by the child;
    - (ii) may be withdrawn in writing signed by the child, in the presence of one witness (who is not so nominated).
- (2) A witness to nomination by an adult by virtue of section 30(1) or by a child by virtue of section 32(1) must at the time of witnessing certify (in writing signed by the witness) that, in the opinion of the witness, the adult or, as the case may be, the child understands the effect of the nomination and is not acting under undue influence in giving it.
- (3) A person nominated by virtue of section 30(1) or 32(1)—
  - (a) may not act under the nomination if not an adult;
  - (b) may renounce the nomination.
- (4) Where more than one person is so nominated, authorisation by virtue of the nomination may be given by any one of them or by all of them acting jointly.

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#### **Commencement Information**

**II** S. 34 in force at 1.9.2006 by S.S.I. 2006/251, art. 3

**Status:**

Point in time view as at 01/09/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 34.