
STATUTORY INSTRUMENTS

2006 No. 1659

The Human Tissue Act 2004 (Persons who Lack Capacity to Consent and Transplants) Regulations 2006

PART 3

TRANSPLANTS

Right to reconsideration of Authority's decision

13.—(1) The Authority may reconsider any decision made by it under regulation 11(3) if it is satisfied that—

- (a) any information given for the purpose of the decision was in any material respect false or misleading, or
- (b) there has been any material change of circumstances since the decision was made.

(2) A specified person may in any case require the Authority to reconsider any decision made by it under regulation 11(3).

(3) “Specified persons”, in relation to such a decision, are—

- (a) the donor of the transplantable material or any person acting on his behalf,
- (b) the recipient of the material or any person acting on his behalf, and
- (c) the registered medical practitioner who caused the matter to be referred to the Authority under regulation 11(2).

(4) The right under paragraph (2) is exercisable by giving to the Authority, in such manner as it may direct, notice of exercise of the right.

(5) A notice under paragraph (4) shall contain or be accompanied by such other information as the Authority may reasonably require.

(6) On receipt of the information required by paragraph (5), the Authority shall provide to the person requiring the reconsideration—

- (a) a copy of each report made under regulation 11(6) of the interviews that were conducted in the case, and
- (b) a statement of the Authority's reasons for its decision.

(7) Paragraphs (1) to (6) do not apply to a decision made by the Authority on reconsideration in pursuance of a notice under this regulation.