



Human Tissue (Scotland) Act 2006

2006 asp 4

PART 3

TISSUE SAMPLE OR ORGANS NO LONGER REQUIRED FOR PROCURATOR FISCAL PURPOSES

41 Notice under section 38(2) or 40(2)(a): further provision

- (1) Notice under section 38(2) or 40(2)(a)—
- (a) may be—
 - (i) delivered;
 - (ii) posted;
 - (iii) transmitted by electronic means;
 - (b) if—
 - (i) posted is presumed to be received on the 3rd day after the day of posting;
 - (ii) transmitted by electronic means is presumed to be received on the day of transmission.
- (2) For the purposes of sections 38(2) and 40(2)(a), the manager of an establishment which is—
- (a) a health service hospital, is the Health Board responsible for the administration of the hospital;
 - (b) a university or any other establishment, is the person or holder of such post as the Scottish Ministers may specify by order under this subsection.
- (3) In subsection (2)(a)—
- “Health Board” means a board constituted by order under section 2(1)(a) of the National Health Service (Scotland) Act 1978 (c. 29);
 - “health service hospital” has the meaning given by section 108(1) of that Act.